

# Inspector's Report ABP-318758-23

Development	Proposed public realm improvement works known as the 'Westgate 2040 Project".
Location	Lands comprising the R132/Bridge of Peace/George's Street (including the underpass on the northern side of the River Boyne); George's Square; Father Connolly Way (including part of an existing car park area); Dominick Street; Patrickswell Lane; Old Abbey Lane (including an area to the rear of 56/57 West Street); Scholes Lane; R900/West 6 Street/Narrow West Street; Fair Street; and Wellington Quay, in the townland of Moneymore, Drogheda, Co Louth.
Local Authority	Louth County Council
Type of Application	Section 175 & Section 177AE Planning Application
Prescribed Bodies	Department of Housing, Heritage and Local Government
Observer(s)	Hubert Murphy Michelle Hall

Inspector's Report

Brian Hanratty Droichead Arts Centre Kieran Campbell Drogheda Cycling Group An Post Old Abbey Dance Studios Drogheda City Status Group Drogheda Business Improvement District

# **Date of Site Inspection**

Inspector

10<sup>th</sup> December 2024

Enda Duignan.

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# 1.0 Introduction

- 1.1. Louth County Council is seeking approval from An Bord Pleanála to undertake public realm regeneration works on lands within the Westgate Vision Area of Drogheda, Co. Louth. The overall objective of the project (known as the 'Westgate 2040' project) is to act as a catalyst to support positive regeneration, compact growth and sustainable development in the Westgate Vision Area and the wider Drogheda Town Centre. It is outlined that the current project stage which seeks approval for works to the public realm and for urban regeneration is funded under the URDF scheme.
- 1.2. The application is being made by Louth County Council pursuant to Section 175 and Section 177AE of the Planning and Development Act, 2000 (as amended). Accordingly, an Environmental Impact Assessment Report (EIAR) and a Natura Impact Statement (NIS) have been prepared in respect of the proposed development.
- 1.3. Before making a decision on the proposed development, the Board shall consider the EIAR, any submissions or observations and any other information relating to (i) the likely effects on the environment of the proposed development, and (ii) the likely consequences for proper planning and sustainable development in the area in which it is proposed to situate the proposed development. It should be noted that a submission was received from the Department of Housing, Local Government and Heritage and a number of Public Submissions. A summary of the matters raised in their submissions is provided in Section 6 of this Report.

# 2.0 Proposed Development

- 2.1. Planning permission is sought to undertake public realm regeneration works on lands within the Westgate Vision Area of Drogheda. The proposed works can be summarised as follows:
  - Public realm improvement works comprising: new hard landscaping including resurfacing, soft landscaping including new tree planting, a water feature channel with stepped concrete elements and integrated landscaping, a Corten steel ground insert delineating the location of the former medieval town wall, a wayfinding Corten steel ground insert, Corten steel signs, Corten steel walkways, street furniture, new pedestrian connections, a SUDS rainwater

retention pond, cycle lanes, pedestrian footpaths, external steps, tactile paving, road signs, cycle parking stands and the provision of new railings;

- Public realm improvement works will also include the creation of a new urban plaza gateway/arrival area at George's Square and a new enhanced public area adjacent the River Boyne riverfront including a new pedestrian wooden deck promenade/boardwalk;
- Demolition of the existing public toilet block at George's Square (between the junctions of George's Street/Fair Street and George's Street/West Street), a section of boundary wall located between Old Abbey Lane and Father Connolly Way and a section of wall located between Dominick Street and Dominick Street car park;
- A new raised, free-standing, curved walkway located between the R132 and the existing Medieval Wall to provide a universally accessible connection from West Street to the River Boyne riverfront;
- A new freestanding Corten steel pavilion located adjacent the River Boyne riverfront to create a new mixed use/public space;
- A new freestanding Corten steel canopy located within, and offset from, the remains of the Old Abbey (being a Protected Structure – ID No. DB-187 and a recorded monument - RMP No. LH024-041011) to create a new flexible community and cultural space;
- Two freestanding Corten steel structures located at the junction of West Street and the R132/George's Street to mark the location of the former medieval West Gate;
- Repair and restoration of the old Medieval Wall located adjacent the R132/George's Street (being a Protected Structure – ID No. DB-188 and a recorded monument - RMP No. LH024-041014);
- Repair and restoration of the Old Abbey (being a Protected Structure ID No. DB-187 and a recorded monument - RMP No. LH024-041011) including the west gable of its north aisle located within Old Abbey Lane;
- Reprioritisation of traffic and movement patterns for the streets/roads/lanes/footpaths within the application site to accommodate the proposed public realm improvement works and integrate with the Council's emerging Active Travel projects to the north and south of George's Street/R132;

- Road improvement works to include alteration of road alignment, resurfacing, shared surface treatments, revised access arrangements, cycle lanes, pedestrian crossing points, parking bays, loading bays, accessible parking bays, bus stops and new public lighting; and,
- All associated site works including, drainage, undergrounding of services and all associated ancillary development works.
- **2.2.** The overall site has been divided into key character areas for design/development purposes and are discussed in further detail below. The character areas comprise:
  - George's Square and West Street;
  - Medieval Wall;
  - Old Abbey Lane;
  - Riverfront; and
  - Adjoining Streets/Lanes.

# George's Square and West Street

- 2.3. This area comprises George's Square, part of George's Street/R132, part of West Street and the junction of Fair Street and George's Street. It is proposed to enlarge and transform the square into an attractive public realm plaza area with enhanced permeability and new high quality soft and hard landscaping features. It is proposed to reprioritise George's Street (R132) to enable the enlargement of George's Square and the street will be upgraded to include new dedicated cycle lanes to integrate with Council's wider active travel proposals.
- 2.4. It is stated that the West Street area, together with George's Square, has been designed to act as a new gateway/arrival space. The former West Gate will also be reestablished in the urban landscape with the introduction of two bespoke freestanding Corten steel structures to mark its former location. A new shared surface treatment is also proposed to the front of Barlow House with the intention to provide a flexible space that can act as a new 'cultural' square and accommodate evening and/or weekend events. The Local Authority (LA) also note that the West Street area has been designed to integrate with, and provide a seamless connection between, the new public plaza at George's Square to the north, the Medieval Wall character area to the

south and the Old Abbey Lane character area to the south-east.

#### Medieval Wall

2.5. To the south of George's Square is the Medieval Wall character area which comprises the area of land located between the former medieval town wall and the embankment of George's Street/R132/Bridge of Peace and part of George's Street/R132/Bridge of Peace. The design of this character area seeks to provide a renewed focus on the upstanding remains of the former medieval town wall. It is proposed to incorporate a mix of high quality soft and hard landscaping interventions and has been designed to integrate with, and provide a connection between, George's Square, West Street and the Riverfront character areas. Central to this, is the provision of a bespoke universally accessible raised walkway. In addition, a more direct ground level pedestrian path will be provided as a secondary route and a new water feature within George's Square to the north will continue into and through this character area as a narrow and shallow rainwater channel terminating within a new rainwater retention pond SuDS feature.

#### Old Abbey Lane

- 2.6. This character area comprises lands located within Old Abbey Lane, the adjoining areas of Father Connolly Way and a small area to the rear of No. 56/57 West Street. The proposals include the provision of a new freestanding Corten steel canopy which will be constructed within, but offset from, the remains of the Old Abbey [Abbey of St Mary d'Urso (LH024-041011)]. The aim is to create a flexible and covered outdoor space which can be used for a variety of culture, arts and community events/performances. The freestanding west gable ruin will be reinstated with sensitive maintenance and repair works with spacing around the gable enabling it to act as a focal point.
- 2.7. A new enlarged 'Abbey Square' public realm area will also be created with new tree planting, hard landscaped and public seating areas. A section of the wall located between Old Abbey Lane and Father Connolly Way will be demolished to create a new direct physical and visual link to/from West Street/Father Connolly Way/Old Abbey Lane. A freestanding Corten steel sign will also be erected at the western entrance to Old Abbey Lane to enhance legibility and provide a unique branding

#### opportunity

#### Riverfront

- **2.8.** The Riverfront character area comprises lands located along the northern bank of the River Boyne including the underpass of the Bridge of Peace and part of Father Connolly Way. It is proposed to revitalise the northern embankment of the River Boyne with a focus on delivering improved connectivity and permeability in the area as well as with the wider town centre. At the eastern end of the riverbank, a new freestanding Corten steel pavilion will be erected over a new hard landscaped promenade area to create a new covered and flexible outdoor space which can be used for a variety of social and cultural uses/events. A new pedestrian boardwalk will be constructed along the riverfront with new seating areas to enhance accessibility and enjoyment of this area.
- 2.9. A segregated two-way cycle path will also be constructed which will integrate with existing cycle infrastructure along St. Dominick's Bridge to enhance active travel in the area and which can tie into future phases of a wider cycle network along the River Boyne. It is proposed to enlarge the natural soft landscaped areas with existing trees being retained and new trees planted to enhance the area's biodiversity value. New high quality hard landscaping improvements will comprise a new shared surface treatment along Father Connolly Way and a Corten steel ground insert delineating the location of the former town wall.

#### Adjoining Streets/Lanes

- 2.10. The Adjoining Streets/Lanes character area comprises Fair Street; Scholes Lane; Narrow West Street; Patrickswell Lane; and Dominick Street form part of the wider Westgate Vision Area. The area has a direct physical relationship/connection with the main character areas and been designed to align, and be consistent, with the proposed design language and treatment throughout the scheme to ensure a holistic design approach throughout the Westgate 2040 area.
- **2.11.** The proposal provides a wayfinding concept which incorporates a Corten steel ground insert flush with the street surface to create a trail to guide people through the area

and towards the new public realm, bespoke architecture and landscaping interventions. The Local Authority note that the pedestrian will be prioritised as much as possible within these areas and new public realm improvements will include rationalised parking and footpath areas, new high quality hard landscaping, tree planting and soft landscaping, moveable street planters with benches and new ambient lighting such as festoon lighting.

- **2.12.** The application is accompanied by the following documents:
  - Cover Letter and associated appendices (Appendix 1-Schedule of Planning Application Documents, Appendix 2-Schedule of Planning Application Drawings, Appendix 3-EIA Portal Confirmation of Notification, Appendix 4-Copy of Newspaper Advert, Appendix 5-List of Prescribed Bodies notified, Appendix 6-Copy of letter issued to each Prescribed Body, Appendix 7- Letters of Consent),
  - Environmental Impact Assessment Report (EIAR),
  - Natura Impact Statement (NIS),
  - Planning Statement,
  - Design Statement,
  - Tree Survey Report,
  - Outdoor Lighting Report,
  - Preliminary Construction and Environmental Management Plan (CEMP),
  - Site Specific Flood Risk Assessment (SSFRA),
  - Access & Active Travel Management Strategy,
  - Stage 1 Road Safety Audit,
  - Design drawings, and
  - List of Prescribed Bodies and copies of public notices.

# 3.0 Site Location and Description

**3.1.** The subject site has a stated area of c. 1.89ha and is centrally located within the Regional Growth Centre (Settlement Level 1) of Drogheda. The site is positioned directly to the north of the River Boyne within the townland of Moneymore and comprises the following lanes/streets/roads/areas and their adjoining footpath/public/junction realm areas:

- R132/Bridge of Peace/George's Street (including the underpass on the northern side of the River Boyne),
- George's Square,
- Father Connolly Way (including part of an existing car park area),
- Dominick Street,
- St. Patrickswell Lane,
- Old Abbey Lane (including an area to the rear of 56/57 West Street),
- Scholes Lane,
- R900/West Street/Narrow West Street,
- Fair Street, and,
- Wellington Quay.
- **3.2.** The eastern extent of project area comprises Dominic Street which is surfaced by tarmac. The 'Saint Mary Magdalen's Church' and a convent building 'Saint Mary Magdalen's Dominican Convent' are located at the southern end of the street. The church is enclosed by a plinth wall and railing. Linenhall Street extends westwards from Dominic Street and meets St. Patrickswell Lane, which turns north. St. Patrickswell Lane is a narrow street and the northern half of the lane is paved in modern granite setts. The southern half of the lane is surfaced by tarmac. Old Abbey Lane extends westwards from St. Patrickswell Lane and contains the upstanding remains of the Old Abbey (St. Mary d'Urso) (LH024-041011). A narrow unsurfaced pedestrian laneway links Old Abbey Lane to West Street to the north.
- **3.3.** West Street extends east-west and is primarily occupied by residential and commercial properties. The street is paved in granite setts with modern bollards delineating the pedestrian footpaths on either side of the road. Scholes Lane extends north from West Street and is a narrow pedestrianised lane, paved in modern setts. The northern portion of the laneway contains a centrally positioned metal railing.
- **3.4.** Fair Street to the north runs parallel to West Street and is linked via a pedestrian connection (Scholes Lane). Residential properties characterise the street and a large industrial warehouse is located at its western end which is unoccupied. George's Street, runs north-south, at the western end of Fair Street and West Street. The

northern end of George's Street within the site (George's Square) currently comprises a public car parking area, public toilets, a bus stop area and pedestrian footpaths. This street accommodates a dual carriage way and crosses the River Boyne over the Bridge of Peace. Father Connolly Way extends south from West Street and turns eastwards along the banks of the River Boyne. The northern section of the road is paved in granite setts, while the southern part is surfaced in tarmac. To the immediate west of the north-south portion of Father Connolly Way, lies a car park, which is bounded by the remains of the medieval town wall. An art installation known as the 'Shafts of Light' is located immediately adjacent to Father Connolly Way, on the banks of the River Boyne.

- **3.5.** Buildings of note within and immediately adjoining the subject site include:
  - The Abbey Shopping Centre,
  - Barlow House (Drogheda Arts Centre),
  - Drogheda Courthouse,
  - Drogheda Garda Station,
  - Drogheda Civic Offices,
  - The Dominican Church,
  - The Bridge of Peace,
  - Mill Lane Apartments, and,
  - St. Dominick's Bridge.
- **3.6.** The development site has a rich architectural heritage and there is a significant number of Protected Structures either located within or immediately adjoining the boundary the subject site. A full list of the Protected Structures is provided within Chapter 17 (Architectural Heritage) of the EIAR. There are also 3 no. Architectural Conservation Areas (ACAs), whose boundaries include areas within the Westgate area and comprise:
  - Fair Street (i.e. No. 4 in in Map 11.1 of Appendix 11 of Volume 3 of the LCDP 2021-2027);
  - West Street and Surrounding Streets (i.e. No. 14 in Map 11.1 of Appendix 11 of Volume 3 of the LCDP 2021-2027); and
  - Old Abbey Lane (i.e. No. 17 in Map 11.1 of Appendix 11 of Volume 3 of the

LCDP 2021-2027).

- **3.7.** The site is also located within a Zone of Archaeological Potential for the historic town of Drogheda (LH024-041) and there are three individual recorded monuments within the proposed development area, comprising:
  - The Old Abbey (St Mary d'Urso (LH024-041011)),
  - The path of the medieval town wall and the site of two gates (recorded as town defences LH024-041014), and,
  - A site of a quay (LH024-041079).

# 4.0 Planning History

# 4.1. Subject Site

4.1.1. A review of the site and surrounding area's planning history is provided in Section 3 of the LA's Planning Statement. It is evident from reviewing the LA online planning application register that the majority of applications are relatively minor in nature and are not directly relevant to the consideration of the subject proposal. However, 2 no. permissions of note, whose boundaries overlap with the subject site include:

# Mill Lane Trinity Street Bridge of Peace, Drogheda, Co Louth (west of site)

- 4.1.2. **18/1056:** Planning permission granted by the Planning Authority for development comprising the demolition, excavation and clearance of all existing buildings and structures on site, including derelict buildings and the construction of 41 no. apartments. The development provides for all associated site works, lighting, parking, open space, landscaping, and boundary treatments.
- 4.1.3. **20/763:** Planning permission granted by the Planning Authority to vary the development permitted under P.A. Ref. 18/1056. The proposed development consisted of an increase in the number of storeys from 10 to 11 storeys, an increase in the number of apartments from 41 no. to 49 no. The number of car parking spaces permitted under P.A Ref. 18/1056 remained unaltered.

# St. Dominick's Bridge, Moneymore, Drogheda (south of site)

4.1.4. ABP-308224-20: Planning permission granted by the Board for refurbishment of St.Dominick's Bridge, Co. Louth

#### 4.2. Surrounding Area

- 4.2.1. Notable permitted applications, including Part 8 applications and applications submitted directly to the Board within the site surrounds include:
- 4.2.2. **ABP-315460-23:** Permission granted by the Board for development which involves the construction of the Boyne Greenway North Bank (Townlands of Mell and Moneymore, Drogheda, Co. Louth).
- 4.2.3. **21/625 (Part 8):** Approval to carry out the development of a public meeting space at Peter's Hill, provision of a bespoke sculptural art work and all associated services (Peters Hill, Drogheda, Co Louth).

# 4.2.4. 18/727 (Part 8): Approval for:

- Refurbishment of the existing council office building 52-53 Fair Street (Single Storey Protected Structure-ref DB-069A; NIAH ref.no.13618043).
- Refurbishment of the former council chamber building 54 Fair Street (Two Storey Protected Structure ref - DB-069b & NIAH ref.no.13618044).
- Refurbishment of the Former Community Services Building 55-56 Fair Approved 8 Street (Two Storey Protected Structure ref no. DB-082. NIAH ref. 13618045).
- 4.2.5. **18/598 (Part 8):** Approval for a change of use of existing ground and part upper floor retail unit to office with public counter area and ancillary facilities, external signage and associated site development works (68-69 West Street, Drogheda).
- 4.2.6. **14/510044 (Part 8):** Approval to construct a skateboard park, associated fencing, lighting & access pathways (South of Bridge of Peace, Drogheda).
- 4.2.7. 13/510084 (Part 9): Approval to carry works to construct a new Courthouse, to include2 no Courtrooms & ancillary accommodation. (Wellington Quay, Drogheda, County Louth)

# 5.0 Legislative and Policy Context

# 5.1. The EU Directive (2014/52/EU)

5.1.1. Environmental Impact Assessment Directive (EIA Directive) means Directive 2014/52/EU of the European Parliament and of the Council of 16<sup>th</sup> April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment.

# 5.2. The EU Habitats Directive (92/43/EEC)

5.2.1. This Directive deals with the Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union. Article 6(3) and 6(4) require an appropriate assessment of the likely significant effects of a proposed development on its own and in combination with other plans and projects which may have an effect on a European Site (SAC or SPA).

# 5.3. European Communities (Birds and Natural Habitats) Regulations 2011

5.3.1. These Regulations consolidate the European Communities (Natural Habitats) Regulations 1997 to 2005 and the European Communities (Birds and Natural Habitats) (Control of Recreational Activities) Regulations 2010, as well as addressing transposition failures identified in CJEU judgements. The Regulations in particular require in Reg 42(21) that where an appropriate assessment has already been carried out by a 'first' public authority for the same project (under a separate code of legislation) then a 'second' public authority considering that project for appropriate assessment under its own code of legislation is required to take account of the appropriate assessment of the first authority.

# 5.4. National Nature Conservation Designations

- 5.4.1. The Department of Culture, Heritage and the Gaeltacht and the National Parks and Wildlife Service are responsible for the designation of conservation sites throughout the country. The three main types of designation are Natural Heritage Areas (NHA), Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) and the latter two form part of the European Natura 2000 Network.
- 5.4.2. There are several sensitive sites in the wider area including NHA designated lakes,

bogs and woods. The closest European sites are listed below:

# Table 5.1

European site	Separation distance
River Boyne and River Blackwater SAC (site code	Partial overlap
002299)	
Boyne Estuary SPA (004080)	c. 2.2km east
River Boyne and River Blackwater SPA (004232)	c. 2.6km west
Boyne Coast and Estuary SAC (001957)	c. 3.4km east
North-West Irish Sea cSPA (004236)	c. 7.4km east

# 5.5. Planning and Development Acts 2000 (as amended)

- 5.5.1. Part X of the Act sets out the requirements for the environmental impact assessment of developments which necessitate the preparation of an EIAR.
  - 175 (1) sets out the requirements for the environmental impact assessment of developments carried out by or on behalf of local authorities.
  - 175 (1) requires a local authority to prepare, or cause to be prepared, an Environmental Impact Assessment Report in respect of the proposed development.
  - Section 175 (2) states that a proposed development in respect of which an EIAR is required shall not be carried out unless the Board has approved it with or without modifications.
  - Section 175 (3) states that where an EIAR has been prepared pursuant to subsection (1), the local authority shall apply to the Board for approval of the proposed development.
  - Section 175 (6) states that before making a decision in respect of a proposed development, the Board shall consider the EIAR and any other information furnished and relating to the likely effects on the environment; the likely consequences for proper planning and sustainable development in the area; the views of any other Member State of the European Communities or a state which is a party to the Transboundary Convention to which a copy of the EIAR was sent; the report and any recommendations of the person conducting an oral hearing.
  - Under Section 175(9)(a), the Board shall make its decision on the application within a reasonable period of time and may, in respect of such application:

- i. approve the proposed development,
- ii. make such modifications to the proposed development as it specifies in the approval and approve the proposed development as so modified,
- iii. approve, in part only, the proposed development (with or without specified modifications of it of the foregoing kind), or
- iv. refuse to approve the proposed development,

and may attach to an approval under subparagraph (i), (ii) or (iii) such conditions as it considers appropriate.

- Section 175 (12) states that the Board shall have regard to the provisions of any special amenity order relating to the area; the area or part of the area is a European site or an area prescribed for the purposes of section 10(2)(c), that fact; where relevant, the policies of the Government, the Minister or any other Minister of the Government, and the provisions of this Act and regulations under this Act where relevant.
- 5.5.2. Part XAB of the Act sets out the requirements for the appropriate assessment of developments which could have an effect on a European site or its conservation objectives.
  - 177(AE) sets out the requirements for the appropriate assessment of developments carried out by or on behalf of local authorities.
  - Section 177(AE) (1) requires a local authority to prepare, or cause to be prepared, a Natura Impact Statement in respect of the proposed development.
  - Section 177(AE) (2) states that a proposed development in respect of which an appropriate assessment is required shall not be carried out unless the Board has approved it with or without modifications.
  - Section 177(AE) (3) states that where a Natura impact assessment has been prepared pursuant to subsection (1), the local authority shall apply to the Board for approval and the provisions of Part XAB shall apply to the carrying out of the appropriate assessment.
  - Section 177(V) (3) states that a competent authority shall give consent for a proposed development only after having determined that the proposed development shall not adversely affect the integrity of a European site.

- Section 177AE (6) (a) states that before making a decision in respect of a proposed development the Board shall consider the NIS, any submissions or observations received and any other information relating to:
  - The likely effects on the environment.
  - The likely consequences for the proper planning and sustainable development of the area.
  - The likely significant effects on a European site.

# 5.6. National Guidance

# 5.6.1. Climate Action Plan (CAP) 2024

5.6.1.1. The CAP emphasises the importance local authorities to lead implementation of the Government's Town Centre First with a focus on tackling vacancy, promoting compact growth and urban regeneration, in line with the principles of sustainable development. The role of local authorities in reducing car dependency and car parking is recognised. Road space reallocation and a sustainable approach to parking policy are considered to form key measures to both reduce unsustainable private car demand and enhance placemaking, supporting improvements in the accessibility and air quality of our urban spaces. The provision of safe and accessible walking and cycling infrastructure is key to encouraging modal shift away from private car use and towards walking and cycling. It is stated that quality walking and cycling infrastructure will be incorporated in all public infrastructure projects.

# 5.6.2. Ireland's 4<sup>th</sup> National Biodiversity Action Plan 2023–2030

- 5.6.2.1. Ireland's 4<sup>th</sup> National Biodiversity Action Plan (NBAP) sets the national biodiversity agenda for the period 2023-2030 and aims to deliver the transformative changes required to the ways in which we value and protect nature. The NBAP will continue to implement actions within the framework of five strategic objectives, while addressing new and emerging issues:
  - Objective 1 Adopt a Whole of Government, Whole of Society Approach to Biodiversity,
  - Objective 2 Meet Urgent Conservation and Restoration Needs,
  - Objective 3 Secure Nature's Contribution to People,
  - Objective 4 Enhance the Evidence Base for Action on Biodiversity

- Objective 5 Strengthen Ireland's Contribution to International Biodiversity Initiatives.
- 5.6.3. National Planning Framework (NPF) (Project Ireland 2040) & the National Development Plan (NDP)
- 5.6.3.1. The NPF recognises that more compact forms of growth in the development of settlements of all sizes have the potential to bring new life and footfall, contribute to the viability of services, shops and public transport, increase housing supply and enable more people to be closer to employment and recreational opportunities, and walk or cycle more and use the car less.
- 5.6.3.2. Chapter 2 (A New Way Forward) of the NPF under the heading 'Securing Compact & Sustainable Growth', emphasises the importance of the 'liveability' or quality of life of urban places.
- 5.6.3.3. Chapter 4 (Making Stronger Urban Places) of the NPF recognises that well-designed spaces can enhance urban areas, make them attractive and distinctive and desirable for living, working and visiting.
- 5.6.3.4. National Policy Objectives (NPO) of note include:
  - NPO 4 seeks to ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.
  - NPO 6 seeks to regenerate and rejuvenate cities, towns and villages of all types.
  - NPO11 states that in meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages.
- 5.6.3.5. The NDP mirrors the national strategic objectives of the NPF and provides specific funding measures to support the compact growth agenda, strengthened rural economies and communities, and sustainable transport.
  - 5.6.4. Town Centre First A Policy Approach for Irish Towns

5.6.4.1. Town Centre First supports a more strategic and co-ordinated approach to the regeneration of Ireland's town centres. It includes a particular focus on measures to tackle vacancy and dereliction, to create more vibrant and viable places, through greater occupancy for residential purposes and to encourage more business and footfall.

# 5.6.5. Regional Spatial and Economic Strategy for the Eastern and Midlands Region 2019-2031

- 5.6.5.1. This strategy came into effect in June 2019 and builds on the foundations of Government policy in the NPF. Under the RSES, Drogheda is designated as a 'Regional Growth Centre'. In terms of their role, 'Regional Growth Centres are large towns with a high level of self-sustaining employment and services that act as regional economic drivers and play a significant role for a wide catchment area'. The RSES' Settlement Strategy confirms that Regional Growth Centres should support significant population and economic growth to drive effective regional development.
- 5.6.5.2. It is acknowledged within the RSES that there are underutilised areas in Drogheda where there is opportunity for regeneration and placemaking and it is confirmed that the revitalisation and redevelopment of the town centre will be prioritised, including the regeneration of opportunity sites and their surrounding areas. Notably, it is stated that 'The physical, economic and social regeneration of the Heritage Quarter is promoted including the renewal of the Westgate area, as provided for in the townscape recovery guide 'Westgate Vision', which has secured funding under the Urban Regeneration and Development Fund'. The policy notes that 'The vision supports the adaption and reuse of vacant buildings, the sensitive redevelopment of vacant lands for new homes and businesses within a dynamic public realm investment program to provide an attractive and well-designed urban district'. The RSES supports this approach as an alternative option to new development on greenfield sites.
- 5.6.5.3. In terms of 'residential development', the RSES notes that 'the availability of vacant and derelict serviced sites for residential development within the town centre also allows for an opportunity to contribute towards place making. In this regard the regeneration of the Westgate Area, will attract more people to live in the town core.'

- 5.6.5.4. The Regional Policy Objectives (RPO) of relevance to the subject proposal:
  - RPO 4.11: A cross boundary statutory Joint Urban Area Plan (UAP) for the Regional Growth Centre of Drogheda shall be jointly prepared by Louth and Meath County Councils in collaboration with the EMRA. The UAP will support, the development of Drogheda as an attractive, vibrant and highly accessible Regional Centre and economic driver.
  - RPO 4.15: Promote Drogheda as an urban tourism destination while protecting its natural and built heritage resources with a particular focus on capitalising on the following assets: – The town's role as a gateway to the Boyne Valley heritage sites and World Heritage site at Brú Na Bóinne; – Amenity potential of the River Boyne including the Boyne Greenway; and – Fáilte Ireland's Ancient East designation.
  - RPO 4.16: Support social inclusion measures including the revitalisation of areas by physical regeneration, planning, investment and community development and measures to improve educational attainment levels, up skilling in key competencies and skills acquisition.
  - RPO 4.17: Support the proposed Drogheda Flood Relief Scheme, subject to the outcome of the planning process and appropriate environmental assessment.
  - RPO 7.25: Support local authorities and state agencies in the delivery of sustainable strategic greenways, blueways, and peatways projects in the Region under the Strategy for the Future Development of National and Regional Greenways.
  - RPO 9.10: In planning for the creation of healthy and attractive places, there is a need to a need to provide alternatives to the car and to prioritise and promote cycling and walking in the design of streets and public spaces. Local authorities shall have regard to the Guiding Principles for 'Healthy Placemaking' and 'Integration of Land Use and Transport' as set out in the RSES and to national policy as set out in 'Sustainable Residential Development in Urban Areas' and the 'Design Manual for Urban Roads and Streets (DMURS).
  - RPO 9.14: Local authorities shall seek to support the planned provision of easily accessible social, community, cultural and recreational facilities and ensure that all communities have access to a range of facilities that meet the

needs of the communities they serve.

# 5.7. Section 28 Ministerial Guidelines & other policy

- 5.7.1. Having considered the nature of the proposal, the receiving environment, the documentation on file, including the submissions, I consider the following are relevant:
  - Architectural Heritage Protection Guidelines for Planning Authorities (2011),
  - 'The Planning System and Flood Risk Management, Guidelines for Planning Authorities' (2009),
  - Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (2018),
  - Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities,
  - Cycle Design Manual (2023),
  - 'Design Manual for Urban Roads and Streets' (DMURS), and,
  - Places for People: National Policy on Architecture (2022).

#### 5.8. Louth County Development Plan (CDP), 2021-2027.

5.8.1. The Louth County Development Plan (Plan), 2021-2027 is the operative plan for the purposes of this application. As per the 'Drogheda Composite Map', the subject site largely comprises the public realm areas, public road and footpaths which covers an area of c. 1.8ha. The site partially overlaps lands zoned 'D1 – Regeneration' and this is the predominant land use within the environs of the application site. The objective of D1 zoned lands is 'To facilitate social, economic and physical regeneration and/or rejuvenation of an area or specific lands'. The application site has also an abuttal to lands zoned 'B1 – Town Centre' and 'G1 - Community Facilities'.

# Chapter 2 – Core Strategy and Settlement Strategy

5.8.2. The Strategic Vision of the current Plan is 'Promote County Louth, in particular the Regional Growth Centres of Drogheda and Dundalk, as uniquely attractive places in which to live, work, visit and do business and where the quality of employment and educational opportunities, natural and built environment, cultural experiences and provision of inclusive communities are all to the highest standards, while transitioning to a low carbon and climate resilient society.' Strategic Objectives of note include:

- SO 6: Conserve and enhance the County's Green Infrastructure and ecosystem services supporting the sustainable management of natural assets and the biodiversity of the County's protected habitats and species to provide a wide range of environmental, social and economic benefits to communities.
- SO 7: Protect and enhance the built, cultural and natural heritage assets of Louth, the intrinsic value of which helps to define the character of both urban and rural areas, contributes to the attractiveness, vibrancy and sense of place for residents, tourists and visitors, including improved access to the countryside through the development of greenways, walking trails and blueways in support of and advancing sustainable communities.
- SO 8: Develop and support vibrant, inclusive, sustainable and healthy communities in Louth where people can live, work, invest and visit, enjoying access to a wide range of community, health and educational facilities and amenities, suitable for all ages and needs, in both urban and rural areas, thereby supporting a high quality of life for all to enjoy.
- SO 9: Protect and enhance the unique character and identity of Louth's towns and villages and improve quality of life and well-being through the application of Healthy Placemaking, underpinned by good urban design with the creation of attractive public spaces that are age friendly vibrant, distinctive, safe and accessible and which promote and facilitate positive social interaction.
- 5.8.3. The Strategic Settlement Strategy Policy Objectives for Drogheda include:
  - SS 7: To support the progression and implementation of any projects in Drogheda funded by the Urban Regeneration and Development Fund including the Westgate Vision.
  - SS 8: To support the implementation of the Urban Design Framework Plan for the Heritage Quarter in Drogheda.
  - SS 14: To enhance the established role of Drogheda town centre and position it as a destination of choice for both visitors and residents alike with a special emphasis on the role played by the town walls.
  - SS 15 To work closely with business groups and stakeholders to revitalise and reduce vacancy in the town centre area.
  - SS 17: To work with the NTA, local landowners, and developers to implement

an integrated pedestrian and cycle path network throughout Drogheda, recognising the highest priority to be given to cycling and walking over other modes of transport.

 SS 18: To develop a network of green areas throughout the town including the delivery of a greenway along the north and southern banks of the River Boyne stretching from Townley Hall to Baltray and Oldbridge to Mornington in County Meath while maintaining the integrity of the Boyne Natura 2000 sites.

#### Chapter 5 - Economy and Employment

5.8.4. Chapter 5 of the LCDP provides details on the Economic Strategy for the County and the relevant planning policies and objectives to support this strategy. It is an objective of the Plan (EE 30) 'To promote and facilitate the Regional Growth Centres of Drogheda and Dundalk as creative and innovative centres that are competitive, accessible and attractive, each with their own distinct identity and built heritage.'

#### Chapter 6 – Tourism

- 5.8.5. Tourism Policy Objectives with the current Plan which are relevant to the subject proposal include:
  - TOU 2: To support the implementation of the 'County Louth Tourism & Heritage Action Plan 2016 -2021' and any subsequent plans published during the life of this Plan.
  - TOU 8: To promote and facilitate the development of walkways and cycleways at appropriate locations throughout the County utilising disused transport links where feasible.
  - TOU 9: To protect the integrity and scenic quality of existing and future walking and cycling routes and their setting.
  - TOU 12: To work with the relevant stakeholders including the OPW, the Heritage Council, Fáilte Ireland, the Arts Council, local communities and businesses to support the development of heritage and cultural tourism in Louth.
  - TOU 17: To facilitate the sustainable development of the tourism sector and provide for the delivery of a unique combination of tourism opportunities drawing on the network of attractions in County Louth and potential future attractions.

 TOU 23: To support and promote Drogheda as a designated 'Destination Town' and engage with Fáilte Ireland in developing and promoting the tourism potential of the town

#### Chapter 7 – Movement

- 5.8.6. Policy objectives that support sustainable travel which are relevance to the subject proposal include:
  - MOV 2: To support the implementation of the 'National Climate Action Plan' 2019, and any subsequent plans, and in particular the measures included that will assist in achieving the target of CO<sub>2</sub> emissions reduction by 2030 in the transport sector as set out in Section 10.2 of the 'Climate Action Plan'.
  - MOV 6: To promote and support the principles of universal design ensuring that all environments are inclusive and are accessible to and can be used to the fullest extent possible by all users regardless of age, ability or disability.
  - MOV 9: To support investment in sustainable transport infrastructure that will make walking, cycling or public transport more attractive and appealing, and facilitates accessibility for all, regardless of age, physical mobility, or social disadvantage.
  - MOV 14: To encourage a modal shift from use of the private car towards more sustainable modes of transport including walking, cycling, and public transport.

# Chapter 8 – Natural Heritage, Biodiversity and Green Infrastructure

- 5.8.7. Section 8.3 of the Plan notes that the network of European Sites within the County includes both Special Areas of Conservation (SAC) and Special Protection Areas (SPAs), representing the prime wildlife conservation areas in the County which are considered to be of significant importance at both European and Irish levels. Relevant objectives of the Plan include:
  - NBG 3: To protect and conserve Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) designated under the EU Habitats and Birds Directives.
  - NBG 4: To ensure that all proposed developments comply with the requirements set out in the DECLG 'Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities 2010'.

 NBG 5: To ensure that no plan, programme, or project giving rise to significant cumulative, direct, indirect or secondary impacts on European sites arising from their size or scale, land take, proximity, resource requirements, emissions (disposal to land, water or air), transportation requirements, duration of construction, operation, decommissioning or from any other effects shall be permitted on the basis of this Plan, either individually or in combination with other plans, programmes or projects.

#### Chapter 9 – Built Heritage

- 5.8.8. As noted, the site is located within a Zone of Archaeological Potential for the historic town of Drogheda (LH024-041) and there are three individual recorded monuments within the proposed development area. Relevant objectives of the Plan include:
  - BHC 1: To protect and enhance archaeological sites and monuments, underwater archaeology, and archaeological objects listed in the Record of Monuments and Places (RMP), and/or the Register of Historic Monuments and seek their preservation (i.e. presumption in favour of preservation in situ or in exceptional cases, at a minimum, preservation by record) through the planning process and having regard to the advice and recommendations of the National Monuments Service of the Department of Housing, Local Government and Heritage and the principles as set out in the 'Framework and Principles for the Protection of the Archaeological Heritage' (Department of Arts, Heritage, Gaeltacht and the Islands 1999).
  - BHC 2: To protect the built heritage assets of the county and ensure they are managed and preserved in a manner that does not adversely impact on the intrinsic value of these assets whilst supporting economic renewal and sustainable development.
  - BHC 3: To protect known and unknown archaeological areas, sites, monuments, structures and objects, having regard to the advice of the National Monuments Services of the Department of Housing, Local Government and Heritage.
  - BHC 4: To promote awareness and knowledge of the archaeological resources of the County and support initiatives where appropriate that provide better access to the historic built environment.

- BHC 6: To ensure any development, either above or below ground, adjacent to
  or in the immediate vicinity of a recorded monument or a Zone of Archaeological
  Potential (including formerly walled towns) shall not be detrimental to or detract
  from the character of the archaeological site or its setting and be sited and
  designed to protect the monument and its setting. Where upstanding remains
  exist, a visual impact assessment may be required.
- BHC 8: To protect and preserve in situ all surviving elements of medieval town defences (both upstanding and buried) and associated features in accordance with the Conservation and Management Plans as applicable and with 'National Policy on Town Defences' (Department of Environment, Heritage and Local Government 2008).
- BHC 9: To retain the surviving medieval street pattern, building lines and burgage plot widths in historic walled towns.
- BHC 10: To require, as part of the development management process, archaeological impact assessments, geophysical surveys, test excavations and monitoring, as appropriate, where development proposals involve ground clearance of more than half a hectare or for linear developments over one kilometre in length or for developments in proximity to areas with a density of known archaeological monuments and history of discovery, as identified by a licensed archaeologist.
- 5.8.9. Section 9.6 of the Plan relates to the County's architectural heritage. As detailed the site partially overlaps the boundaries of 3 no. ACAs and there are a number of Protected Structures that have a direct abuttal with the boundaries of the development site. Relevant objectives of the Plan include:
  - BHC 20: To ensure that any development, modification, alteration, or extension affecting a protected structure and / or its setting is sensitively sited and designed, is compatible with the special character and is appropriate in terms of the proposed scale, mass, density, layout, and materials of the protected structure.
  - BHC 22: To prohibit inappropriate development within the curtilage and/or attendant grounds of a protected structure. Any proposed development within the curtilage and/or attendant grounds must demonstrate that it is part of an

overall strategy for the future conservation of the entire complex including the structures, demesne and/or attendant grounds.

- BHC 26: To encourage the retention, sympathetic reuse and rehabilitation of protected structures and their settings where appropriate and where the proposal is compatible with their character and significance. In certain cases, development management guidelines may be relaxed in order to secure the conservation of the protected structure and architectural features of special interest.
- BHC 28: To ensure the protection of architectural features of special interest as part of any proposed re-development where there is conflict with other development plan requirements such as open space, car parking etc.
- BHC 31: To require that all development proposals within or affecting an Architectural Conservation Area preserve or enhance the character and appearance of that area, protect architectural features of special interest and ensure that the design respects the character of the historic architecture in terms of height, scale, layout, and materials. All development proposals shall have regard to the Architectural Conservation Area objectives in Appendix 11, Volume 3 and objectives contained in applicable Character Appraisals where available.
- BHC 33: To ensure any new service infrastructure (installed by the Local Authority or Public/Private Sector Utility Companies) shall not be located where it will be detrimental to the character of the Architectural Conservation Area.
- BHC 34: To ensure that the protection of architectural features of special interest within an Architectural Conservation Area are retained as part of any proposed re-development. In certain cases development management guidelines may be relaxed in order to secure their conservation.
- BHC 36: To ensure that new trading bays and all associated signage shall not be located where it will be detrimental to the character of the Architectural Conservation Area or any important building or vista in the Architectural Conservation Area.
- BHC 37: To retain surviving medieval plots and street patterns in the Architectural Conservation Areas and other towns and villages where in evidence and in the course of development, to record and mark evidence of

ancient boundaries and layouts etc.

#### Chapter 10 – Infrastructure & Public Utilities

- 5.8.10. Given the site's partial location within a flood zone, the following objectives are relevant to the proposal's consideration:
  - IU 26: To reduce the risk of new development being affected by possible future flooding by: – Avoiding development in areas at risk of flooding and – Where development in floodplains cannot be avoided, taking a sequential approach to flood risk management based on avoidance, reduction and adaptation to the risk.
  - IU 27: To ensure all proposals for development falling within Flood Zones A or B are consistent with the "The Planning System and Flood Risk Management - Guidelines for Planning Authorities" 2009. Proposals for development identified as being vulnerable to flooding must be supported by a site specific Flood Risk Assessment and demonstrate to the satisfaction of the Planning Authority that the development and its infrastructure will avoid significant risks of flooding and not exacerbate flooding elsewhere. In Flood Zone C, where the probability of flooding is low (less than 0.1%), site specific Flood Risk Assessment may be required and the developer should satisfy themselves that the probability of flooding is appropriate to the development being proposed. The County Plan SFRA datasets and the most up to date CFRAM Programme climate scenario mapping should be consulted by prospective applicants for developments in this regard and will be made available to lower-tier Development Management processes in the Council. Applications for development in flood vulnerable zones, including those at risk under the OPW's Mid-Range Future Scenario, shall provide details of structural and nonstructural risk management measures, such as those relating to floor levels, internal layout, flood-resilient construction, emergency response planning and access and egress during flood events.

#### Chapter 12 – Climate Action

- 5.8.11. Relevant objectives of the Plan include:
  - CA 1: To promote, support and direct effective climate action policies and

objectives that seek to improve climate outcomes across the settlement areas and communities of County Louth helping to successfully contribute and deliver on the obligations of the State to transition to low carbon and climate resilient society through the encouragement and integration of appropriate mitigation and adaptation considerations and measures into all development

- CA 3: Actively implement policies that support and encourage sustainable compact growth and settlement patterns, integrate land use and transportation, and maximise opportunities through development location, form, layout and design to secure climate resilience and reduce carbon dioxide and greenhouse emissions.
- CA 5: To actively promote and encourage nature-based approaches and green infrastructure solutions as viable mitigation and adaptation measures to reduce greenhouse gas emissions, increase the adaptive capacity of ecosystems and optimize the multifaceted benefits through:
  - o Conservation, promotion and restoration of the natural environment;
  - Integrating an ecosystem services approach and promote healthy living environments through enhanced connection with nature and recreation/amenity;
  - Enhancing biodiversity in urban and rural settings;
  - $\circ~$  Assist with water and flood risk management; and,
  - $\circ$   $\,$  Carbon storage or sequestration.
- 5.8.12. Relevant appendices of the current Plan include:
  - Appendix 5 Tree Surveys of Drogheda and Dundalk
  - Appendix 6 Tree Protection
  - Appendix 7 Views and Prospects
  - Appendix 9 Zones of Archaeological Potential
  - Appendix 10 Walled Towns
  - Appendix 11- Louth Architectural Conservation Areas ACAs
  - Appendix 13 Guidelines for Works in Conservation Areas
  - Appendix 14 A Guide to ACAs in Louth
  - Appendix 15 Development Management Guidelines for ACAs

#### 5.8.13. Volume 4 – Record of Protected Structures (consolidated)

#### 5.9. Drogheda Joint Local Area Plan

- 5.9.1. This joint LAP will set out a land use strategy for the future growth and sustainable development of Drogheda, focusing on issues including population and economic growth, delivery of housing and community facilities, regeneration of vacant and under-utilised lands, the potential impacts of climate change, environmental protection, and investment in transportation and water services infrastructure. I note that the closing date for submissions in respect of the Pre-Draft Issue Paper was the 27<sup>th</sup> March 2024.
- 5.9.2. In terms of 'regeneration' the Pre-Draft Issue Paper notes that as part of the policy of promoting compact growth, there will be support for the regeneration of vacant and under-utilised lands throughout Drogheda and the Westgate area has been identified as an for regeneration.
- 5.9.3. Further to this, it is stated that the publication of the Westgate Vision and Townscape Recovery Guide in 2018 identifies opportunities for improvements to the public realm and built environment, and the sensitive adaptation and re-use of vacant lands and buildings for new homes and businesses. It goes on to note that funding for the planning phase of the Westgate Vision has been received under the Urban Regeneration and Development Fund and the submission of the current application with the Board is acknowledged.

# 6.0 Consultations

# 6.1. Prescribed Bodies

- 6.1.1. The application was circulated to the following Prescribed Bodies:
  - An Chomhairle Ealaíon,
  - An Taisce,
  - Fáilte Ireland,
  - Heritage Council,
  - Department of Housing, Local Government and Heritage,
  - Transport Infrastructure Ireland,

- Uisce Éireann,
- Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media,
- National Transport Authority, and,
- Inland Fisheries Ireland.
- 6.1.2. A response was received by the Department of Housing, Local Government and Heritage (referred to herein as the Department) which raised matters relating to archaeological and architectural heritage. The matters raised can be summarised as follows:

# Archaeology

- 6.1.3. The submission notes that the proposed development is located within the Historic Town of Drogheda, within which a number of Recorded Monuments are located. It is also stated that the proposed development area is proximal to a wreck (Wreck Inventory of Ireland ref W18567) that is protected by Section 3 of the National Monuments (Amendment) Act 1987. It is notes that the project provides an opportunity to highlight Drogheda's significant underwater cultural heritage, and the Department recommends that an interpretation strategy forms part of the final project design. It is suggested that a detailed Archaeological Impact Assessment should be prepared to assess any impact on archaeological remains within the proposed development site and should be undertaken prior to any grant of permission so that an appropriate archaeological recommendation can be provided before a planning decision is taken. A summary of the recommendations are included as follows:
  - Prior to any grant of planning permission, the Department seeks consultation with the LA regarding the proposed development in relation to Recorded Monuments on site.
  - The LA is required to engage the services of a suitably qualified archaeologist and Grade 1 Conservation Architect to carry out more detailed archaeological and architectural assessments of the development.
  - The Department requests detailed method statements in relation to all proposed works associated with Recorded Monuments.
  - It is stated that no sub-surface developmental work, including geotechnical test pits, should be undertaken until such further archaeological assessment has

been completed and commented on by the Department.

- Prior to any grant of planning the archaeologist shall carry out any relevant documentary research and inspect the development site. As part of the assessment a programme of test excavation shall be carried out at locations chosen by the archaeologist (licensed under the National Monuments Acts 1930-2004), having consulted the site drawings and the Department.
- Having completed additional assessments works, the archaeologist shall submit a written report stating their recommendations to the Planning Authority and to the Department. Where archaeological material/features are shown to be present, preservation in situ, preservation by record (excavation) or monitoring may be required.
- All ground works and structural conservation works shall be monitored under Ministerial Consent by a suitably qualified archaeologist and Grade 1 Conservation Architect.
- Should archaeological material be found during the course of works, the work on the site shall be stopped pending a decision as to how best to deal with the archaeology.
- In terms of the wrecks within the River Boyne, measures should be put in place to ensure their protection, should works be undertaken in close proximity to the vessels.

# Architectural Heritage

- 6.1.4. In terms of the Medieval Wall, it is stated that the proposed ramp appears to be of substantial scale and length in the context of the historic setting of the town wall. Whilst greater engagement with the wall is welcome, the submission notes that the proposal appears not to have fully evaluated the surviving wall, its features and relationship to the river and proposals for its conservation and interpretation have not been included. It is stated that the length and close proximity of the contemporary ramp to sections of the medieval wall creates potentially insecure spaces and the overall dominance of the contemporary design set against the wall appears to diminish the presence or experience of the wall.
- 6.1.5. For the works within Old Abbey Lane, it is stated that detailed design proposals

(including demolitions) in the context of the surviving fabric are necessary, and a description of works and specifications is necessary to inform the overall approach, planning and conservation outcome. The submission notes that the justification of the use of Corten steel to roof one of the most prominent roofscapes/heritage sites in the town is questionable. It is their view that the dominance of the roof colour and material confuses the experience of the surviving structure.

- 6.1.6. The submission notes that the proposed riverfront structure is regarded as being of a contemporary design and its position and overall landscaping improves access along the river, conceals car parking and enhances the existing river edge amenity. The use of Corten steel at this location is deemed to be acceptable.
- 6.1.7. In terms of the proposed new areas of public realm, proposals based on detailed historic survey and the identification of the medieval walls, historic boundaries, thresholds, staircases and historic paving finishes and features are required. The submission recommends the avoidance of inappropriate building materials. Large metric paving and the use of locally sourced materials is recommended, to avoid adverse impact on the organic nature of the medieval character.

#### 6.2. Public Submissions

6.2.1. A total of ten (10) no submissions were received by the Board. The matters raised in each of the submission can be summarised as follows.

#### Old Abbey Dance Studios

6.2.2. It is stated within their submission that they acquired and constructed their studio in 2005 and they have advocated for every enhancement to the area. When the studio was initially opened, the laneway had a muddy surface and it was them who advocated for the extension of the tiling from the Main Street to include Old Abbey Lane. It is stated that over the past 20 years they have been staunch advocates and guardians of the lane. Besides the social importance, Old Abbey Dance Studios has become an integral part of the community, with local shops benefiting from the footfall of parents and students that they bring to the town centre, and they play a crucial role in the community both culturally and economically.

- 6.2.3. The submission extends their overall support for Westgate 2040. However, concerns are raised with respect to aspects of the proposal. It is highlighted that the identity and flexibility of the enclosed space in Old Abbey Lane is not fully understood. Since there are essential facilities within the space that aren't currently proposed (i.e. toilets, bar, power supply, storage etc.), it does not seem usable unless the equipment is brought into this space. Concerns are raised that the roofed element will only be utilized on a small number of days, leaving it unoccupied for up to 50 weeks of the year.
- 6.2.4. If the space is not in full time use and occupation, concerns are raised are raised with respect to the potential for antisocial behaviour and it is stated that there needs to be a clear strategy for the space which may involve either gated control or increased occupation of the lane.
- 6.2.5. It is stated that the roof structure will tower over the existing studio building which will have a significant impact on the quality of the dance studio space. It is highlighted that substantial effort was made during the studio's design to position the building back from the medieval arch, while opting for a complete glass wall to the front to ensure an unimpeded view. It is stated that the proposed structure will obstruct light and view to these spaces and concerns are highlighted that no detailed cross section has been provided of the proposed roof structure.
- 6.2.6. It is considered that there is a lack of careful consideration in the design of the roof and in particular the placement of its structural elements. It appears that one of the structural supports for the roof is proposed to be located directly in front of the studio's main entrance which will result in an obstruction of the entrance gates. It is contended that this detail needs to be thoroughly reconsidered along with the roofing element.

#### <u>An Post</u>

6.2.7. The submission notes that An Post fully acknowledges and welcomes the need to increase pedestrianisation and public realm developments within Drogheda. Given the nature of An Post's role, providing an essential public service delivering mail and parcels require the use of a significant number of small and large vehicles on a daily basis. Unrestricted vehicular access is therefore of critical importance to the operation of the service and any limitations can have a serious knock on impact on the ability to

meet the postal needs of the public and service their legal agreements with the state.

6.2.8. Whilst An Post welcomes the new public realm enhancements, it is requested that the LA, during all stages of the planning and development process associated with the scheme, carefully consider the operational requirements of An Post's retail unit located on West Street, in addition to the post/slash collection points across the town. In this regard, An Post welcome and encourage the LA to engage directly with An Post during the implementation stages of the scheme, to ensure minimal disruption to postal operations during both the construction and operational stages. It is further requested that full collaboration and discussions are held with An Post, the LA and the appointed contractor prior to, and during any such works to minimise distribution to An Post's operations in Drogheda.

#### Brian Hanratty

- 6.2.9. The submission highlights that the application is a welcome development in an area of central Drogheda that could be described as the 'epicenter' of heritage assets locally and sited adjacent to the historic River Boyne. The project will likely impact on the west side of Drogheda for at least the rest of this century and possibly longer. It is therefore vital that the Board carefully assess all aspects of this application to ensure it is sensitive to this part of historic Drogheda.
- 6.2.10. Concerns are raised that the proposed development fails to protect and proudly promote this heritage area. It is suggested that the Corten steel canopy on Father Connelly Way should be omitted from the scheme. Suitable panels could be provided along this walkway describing heritage highlights in Drogheda and upstream in the Boyne Valley.
- 6.2.11. Concerns are also highlighted with respect to the extensive use of Corten steel which is considered in their view to be inappropriate material that competes with heritage assets such as the Old Abbey. A material and colour scheme that complements rather than conflicts should be provided, and it is their view that the two large uprights at the entrance are also equally intrusive.
- 6.2.12. Concerns are highlighted with respect to the removal of the only public toilets which

are located adjacent to Drogheda's busiest bus stops on George's Square. It is noted that this area is also in need of a suitable bus shelter.

# Love Drogheda Business Improvement District

- 6.2.13. The submission notes that there are currently 2 no. coach parking bays located along Father Connolly Way and 2 no. bus stops spaces on Dominic Street. It is requested that there is appropriate coach parking provided in close proximity to the town centre. It is highlighted that it is essential that there are appropriate levels of available coach parking to assist in the growth of tourism in the town. It is noted that the public bus stop is to be moved and retained beside St. Dominic's Church. However, there is no further allocation for coach parking, and it is requested that space is allocated in one of these two car parks.
- 6.2.14. The submission notes that the removal of such a high level of car parking spaces could impact the sustainability of businesses within the vision area. The LA is requested to ensure that the car park area at the courthouse be paved in a permeable material that could become a multi-use space with the capacity to act as an area for small riverfront festivals or markets.
- 6.2.15. In terms of heritage preservation, it is requested that the Drogheda Arts Centre/Barlow House retain appropriate access to its rear and plans for its future development be taken into consideration.
- 6.2.16. It is noted that the proposal will incorporate a series of new materials for paving, seating and lamp posts. The submission requests a consistent approach to be adopted which is in keeping with recent public realm upgrades on St. Dominic's Bridge and St. Peter's Plaza. In addition, it is requested that suitable drainage pits are incorporated within all new tree planting that is proposed.

# Drogheda City Status Group

6.2.17. In the overall view of the Westgate vision, it is considered that the use of Corten steel is an unsuitable material from a visual perspective and it is suggested that a material be used that is more in keeping with the historic theme of Drogheda. The following points are also noted:
- Concerns raised regarding the roofing material proposed for the Old Abbey and the future policing of this space give the potential for anti-social behaviour.
- It is highlighted that due consideration should be given to the derelict buildings located in Narrow West Street.
- Consideration should also be given to designated coach parking with the plan area.
- It is highlighted that the traffic lights at the bottom of George's Street need to be properly synchronized and sufficient lighting provided.
- The existing public toilets on George's Square should be retained and modernised.
- It is noted that there is a need for a proper bus shelter to be located adjacent to the George's Square stop.
- It is questioned whether there is suitable wheelchair provision within the area of George's Square.

## Drogheda Cycling Group

- 6.2.18. Although the provision of additional cycle parking stands is noted, the proposed location of the proposed stands opposite Barlow House does not connect to the proposed two-way bicycle lane on Fr. Connolly Way. The cycleway also fails to offer further connection to the existing Boyne Greenway accessed across St. Dominic's Bridge adjacent to Fr. Connolly Way. It is requested that consideration be given to adding a number of cycle parking stands in the car park area to the front of the Courthouse and adjacent to the bicycle lane on Father Connolly Way.
- 6.2.19. As detailed in the Road Safety Audit (RSA), the proposed cycle lane width along the riverside on Father Connolly Way is too narrow for two-way use. Also, there is no overhead clearance provided adjacent to the proposed elevated walkway where cyclists using this space may be at risk of striking their head. It is requested that consideration be given to appropriate surfacing of all paths in the area in the area to avoid possible slippage.
- 6.2.20. It is highlighted that this plan reprioritises George's Square where it will become a larger public plaza. Without additional provision for cycling, the challenge for cyclists

will be exacerbated. As noted in the RSA, no provision is made for safe continuity of the proposed cycling facilities through the bus stop area on both sides of George's Square and cyclists will be vulnerable and will need to enter the carriageway on a very narrow lane. This will present a significant risk of conflict with passing traffic and cyclists may need to mount the curbs in potential conflict with pedestrians and passengers.

6.2.21. It is it is contended that it is critical that the Westgate 2040 is not a missed opportunity to connect the new public realm to the proposed Boyne Greenway. It is requested within the submission that the final plan ensures a continuous, free flowing, safe and accessible cycle route through the Westgate Area onto Father Connolly Way and across St. Dominic's Cridge accessing the Greenway on the south bank of the river. It is considered that the development of the Greenway nearby is also an opportunity to develop a bike hub and pump track on the nearby land. In particular, St. Dominic's Park is considered to be a suitable location.

#### Droichead Arts Centre.

- 6.2.22. It is highlighted within the submission that as part of the consultation process, and as a major landowner in the Westgate Area (i.e. owners of Barlow House), consultants were made aware of the potential development of a new flagship arts centre to the rear of Barlow House. It is highlighted that it was always their intention when purchasing Barlow House to ensure that they optimize this beautifully preserved Georgian building and the space around it for the betterment and development of Drogheda and the arts. It is stated that this new art centre would combine with existing activities of both buildings into one purpose built new centre.
- 6.2.23. Whilst it is acknowledged that they're at the infancy stage of the design process, they would like to reiterate that they are very keen to progress this project. In devising these plans, it is stated that there is a requirement for vehicular access to the side/back to move sets, equipment, supplies into the proposed new gallery and theatre space. It is highlighted that there is currently a roller door access onto George's Square which has been factored into the feasibility plans that were shared with the LA. It is noted that the plan for the new theatre would need side/rear access as this part of the site will be the orientation used for the theatre space. It is highlighted that the provision of access

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to the back of Barlow House via the O'Reilly's car park which is accessed from Fair Street could be a compensatory measure should the George's Square development proceed thus blocking access to the site via the existing rolling gate. The submission confirms that they look forward to discussing this matter further with the LA in arriving at a solution that works for all parties involved.

## Kieran Campbell.

- 6.2.24. The submission welcomes the proposed developments contained within the 'Westgate 2040' application and the aims of the wider plans for the 'Westgate Vision Area'. The submission highlights that the restoration and conservation of the medieval town wall is long overdue, and consideration should be given to representing the circular tower at ground level which stood at the turn in the town wall at the Riverside. It is stated that excavation would be required to determine the exact location if this is not already known.
- 6.2.25. The conservation of the surviving portions of the Old Abbey is welcomed. It is pointed out that this medieval religious house is incorrectly identified throughout the planning application documents. It is true that the ruins were previously thought to be of St. Mary d'Urso but the error should be corrected in any future documentation associated with this project.
- 6.2.26. The submission highlights that at the initial public consultation stage, it was brought to the consultant's attention that a wreck of an iron barge lay semi submerged in the riverbank. It was suggested that the barge, a relic of the Boyne Navigation (1748-1932), should be retrieved, conserved and set up on the riverbank as a static display, being a tangible link to Drogheda's industrial past and the importance of the River Boyne in its history. At a minimum, a feasibility study should be undertaken to determine if and how this could be achieved. Concerns are highlighted that this matter has not been addressed in the application documents and as the barge is listed in the Wreck Inventory of Ireland Database, the barge should be protected under Section 3 of the National Monuments (Amendment) Act 1987. It is highlighted that there is considerable renewed interest in the Boyne navigation as an amenity. The inland Waterways Association of Ireland are currently engaged in restoration and maintenance work at several locations along the route and it is contended that the

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barge is worthy of conservation and would be of considerable interest as an exhibit.

- 6.2.27. One of the proposals in the development includes the demolition of a section of the boundary wall located between Old Abbey Lane and Father Connelly Way. The need to remove such a long stretch of the stone wall is questioned. It is noted that the wall would have been the eastern boundary wall of Alderman Barlow's Garden (as shown on Ravell's Map of 1749) and it is suggested that a gateway through the wall would be more appropriate than creating a wide open space.
- 6.2.28. In terms of preservation of street furniture, it is highlighted that there are several castiron drain gates made by an inscribed by Drogheda Ironworks. As these gates are often replaced during resurfacing, the question is asked whether they can be retained in situ, or if not, reused in some other appropriate location. The same point is made for other street furniture of interest.

#### Michelle Hall

- 6.2.29. The submission notes that the plan should maximise the potential and protection of historic areas within the town. It is stated that the deterioration and dereliction of many buildings in this area, especially Council owned, should be included in any further phase of the plan to maximise footfall and the revitalization of the Westgate area. It is the observer's view that the 'Westgate 2040' doesn't go far enough in terms of removing car parking at the Abbey shopping centre car park. It is highlighted that there is a severe lack of public recreational facilities in the centre of Drogheda and this car park could have been incorporated into a vibrant meeting area with potential for popup cafes, retail units or am entertainment area.
- 6.2.30. The submission notes that there were a lot of recommendations included in the RSA, with many criticisms for potential dangers for pedestrians and cyclists. It is hoped that they will be included in any conditions of the plan.
- 6.2.31. The submissions states that from an examination of the documentation, they don't have a clear idea or vision of the sense of arrival at George's Street. It is stated that this is not obvious in the plan, and it is suggested that a sculpture reflecting the river

of myths associated with the Boyne would be welcome here or some large aesthetic signage demarcating the entrance to the overall area.

- 6.2.32. The spiral walkway is viewed as a positive design feature. However, it is suggested that additional seating should be incorporated into its spiral design. In addition, lighting at night will be crucial to prevent anti-social behaviour and a sense of safety for users.
- 6.2.33. It is noted that the covered canopy at the Old Abbey promotes the use of this area for culture. However, it is the observer's view that the plan is lacking in any other focus on culture, whether it be historical or contemporary. It is noted that Drogheda is the closest town to the UNESCO World Heritage Site Brú na Bóinne and no elements acknowledging this appear to have reflected anywhere in the plan. It is noted that Barlow House is located within the plan area, and it is suggested that more collaboration with the Droichead Arts Centre should be reflected in the plan.
- 6.2.34. Westgate 2040 attempts to bring people to the River Boyne and the center of Drogheda. However, it is stated that there is a lack of imagination in the use of the space and there is no sense of arrival to the river area with a functional purpose. It is stated that some form of recreational activity associated with the river should be incorporated at this location, including for example a floating pontoon with access for kayaking.
- 6.2.35. The submission notes that the canopy on Father Connolly Way doesn't seem to serve a function and as a sculptural aesthetic element, lacks any form that reflects the river, and concerns are raised with respect to its design. It is also highlighted that the canopy will block a view of Millmount along Father Connolly Way which is one of the most important historical features in Drogheda.
- 6.2.36. The submission notes that there is a lack of public seating in the plan area, especially in George's Square and Father Connolly Way. It is stated that there should be high backed seating for those with mobility issues and various styles of benches that encourage different functions such as play elements for children. It is stated that there are no obvious elements that appear to have built-in opportunities for children to play and self-expression that is seen in lively areas.

- 6.2.37. The submission highlights a concern with respect to the demolition of the existing public toilet. Although it is acknowledged that the toilet is currently not in operation, it is stated that there could have been an aesthetic overhaul of the existing toilets with improved safety and accessibility that would have been functional and would have provided a positive design feature.
- 6.2.38. Other suggestions include:
  - Design, materials and color palette should complement the recently installed wayfinding project.
  - Landscaping should include more trees and planting for wildflowers to promote biodiversity.
  - Air quality should be monitored in this area prior to the commencement of the project and measured after the development has been completed to provide evidence-based information on the health benefits of a scheme of this nature.
  - Cycle access should be given at the side of the entrance to St. Dominick's Bridge and the pole should be removed on Fr. Connolly Way beside St. Dominick's bridge as it prevents wheelchair and cycle access. Full support for the provision of uncontrolled pedestrian crossings.
  - Covered bicycle shelters should be incorporated into the plan.
  - A park and ride/stride facility should be planned and opened prior to the commencement of Westgate 2040 to prevent further traffic chaos.
  - Confirmation that the Ronan Halpin sculpture on Father Connolly Way will remain in situ.
  - Recommendation that a Bus shelter should be provided on George's Street.
  - The question is asked whether the plan has provision for a Per Cent Art Scheme and if so, can it be implemented into the design.

## 6.3. Local Authority Response

6.3.1. A response to the matters raised within the various submissions has been prepared on behalf of the Local Authority and was received on the 8<sup>th</sup> April 2024. The response to the issues raised was grouped into themes and are summarised as follows:

#### Engagement

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6.3.2. It is confirmed that the LA will continue to liaise and engage with all relevant stakeholders, including those engaged in service delivery, such as An Post, during the detailed design, construction and implementation stages of the Westgate 2040 project to ensure that any potential construction or operation impacts are minimised.

#### <u>Design</u>

6.3.3. Noting the various commentary within the submissions on the file, a summary of the response is provided in Table 6.1 below:

Matter Raised	Response
Gateway/Arrival	A new high quality, multi-functional and multi-purpose arrival/gateway area will be created at George's Square and West Street and has been designed to create a clear sense of arrival to the Westgate area.
Riverfront Pavilion	A new freestanding Corten steel pavilion will be erected along the River Boyne riverfront over a new hard landscaped promenade to provide a bespoke piece of urban architecture in the area and create a new covered and flexible outdoor space that can be used for a variety of social, community and cultural uses/events.
Active Travel	The proposals have been designed to integrate with existing and planned active travel infrastructure, particularly LCC's plans to deliver active travel enhancements along the R132/George's Street to the north and south of the application site. Consultations were undertaken with the NTA and LCC's Active Travel team to ensure alignment between the projects.
Boyne Greenway	The proposals have been designed to enable future connections to the Boyne Greenway including along the northern bank of the River Boyne under the Bridge of Peace.
Cycle Routes	The proposals have been designed to enable continuous, free flowing, safe and accessible cycle routes through the Westgate area including from/to St. Dominick's Bridge and the greenway on the south bank of the river.
Cycle Lanes	The proposals incorporate dedicated cycle lanes, where possible. A dedicated cycle lane is not proposed along West Street or the northern section of Father Connolly Way noting the site constraints in these areas and the requirement to provide vehicular access to existing premises and car parks. However, a shared surface treatment is proposed to prioritise and enable better cycle and pedestrian movements when compared to the current arrangements.
Palette of Materials	The proposed palette of materials and colours have been carefully selected to create a unique experience within the Westgate 2040 area while also ensuring a holistic design approach to deliver a consistent, complementary, functional and safe built environment with a harmonious look and feel, design language and treatment.
Consistent Materials	The proposals have been designed to complement the recently installed Wayfinding project (delivered by LCC and Failte Ireland under the Drogheda Destination Towns, Visitor Wayfinding and Orientation Plan) and wider town centre lighting upgrades in terms of design, materials and colour palette.
Construction Materials	The materials for the construction stage of the project will be required to satisfy all relevant health and safety requirements, including anti-slip surfacing.
Former West Gate	The former 12th Century West Gate will be re-established in the urban landscape with the introduction of two bespoke freestanding Corten steel structures to mark its former location.
Per Cent for Art	The proposals include a number of bespoke architectural items as well as new

scheme	placename signage to enhance wayfinding in the area; provide important reference points to lost heritage; and act as pieces of public art in accordance with the Per Cent for Art scheme.
Accessibility	The proposals have been designed to ensure that universal (Part M) access, including for wheelchair users, will be provided within areas that are to be redesigned/will contain new interventions, such as George's Square.
Seating	New seating and bench areas are proposed throughout the application site including Scholes Lane, West Street, St. Patrickswell Lane, Old Abbey Lane and along the riverfront and the new raised walkway area. George's Square is also designed to enable business to place seating outside of their premises. The proposals include a mix of seating and bench options to cater for a variety of user needs in accordance with universal design requirements.
Opportunities for Children to Play	The proposals have been designed to incorporate a mix of hard and soft open space areas with playful and natural interventions to enable children to self- express, play, engage with and explore their environment and nature.
Shafts of light Sculpture	The existing 'Shafts of Light' sculpture has been incorporated into the design of the proposals and will be retained at its current location.
Signage	The proposals include new bespoke placename signage for the West Gate and Old Abbey areas.
Landscaping	The proposals include a detailed landscape plan to ensure that the quantity and quality of soft landscaped areas are maximised as much as possible and include a healthy mix of plant types, including areas for wildflowers to promote biodiversity.
Landscaping and Built Heritage	Landscape proposals have been carefully considered in the context of the site including the existing natural and built heritage assets.
Trees	Proposals seek to introduce as many new trees as possible within the application site. The location and quantum of new trees have been carefully considered to ensure that they: do not impede emergency access through streets/lanes, avoid the creation of any unintentional impacts with respect to road safety; do not interfere with proposed street lighting; and are located in areas wide enough to accommodate appropriate tree pits.
Tree Pits	An appropriate urban tree pit detail has been submitted with the planning application package.
Lighting	The proposals include a detailed lighting plan to ensure that standard levels of lighting will be provided throughout the project area.

## Daylight and Sunlight

6.3.4. In support of the response, a Daylight and Sunlight report has been submitted to provide a comprehensive technical analysis on daylight and sunlight. In terms of impacts to the Old Abbey Dance Studio, it is concluded within the report that the proposed freestanding canopy will not give rise to an unacceptable loss of daylight and sunlight.

# Old Abbey – Support Column for the Freestanding Canopy Structure

6.3.5. It is confirmed that the support column will be located to ensure that it does not restrict access to/from the dance studio and the LA would welcome a condition to be attached to the grant of planning requiring same.

## Cultural Heritage, Archaeology and Architectural Heritage

- 6.3.6. In terms of the commentary with respect to the underwater archaeology, it is confirmed that application site does not extend into the River Boyne area and the proposals do not relate to, nor will they affect, any existing shipwreck or underwater archaeology located within the River Boyne. In addition, the Westgate 2040 proposals will not preclude opportunities in the future to highlight underwater cultural heritage or implement further interpretation strategies. Indeed, the proposals will complement and even help to support these types of initiates in the future by enhancing connectivity with the River Boyne.
- 6.3.7. In response to the recommendations regarding further archaeological and heritage assessment, it is stated that the assessments contained in the relevant Chapters of the EIAR are based on field inspections of the application site and on desk-based analysis of all available historical and cartographic sources, including the conservation Plan for the Town Walls and Other Defences of Drogheda. These chapters identify relevant mitigation and monitoring measures which are designed to avoid, reduce, or offset the creation of any potential significant effects with respect to heritage assets in the area during the construction and operations stages of the proposals. Mitigation and monitoring measures recommended in the EIAR include detailed measured photogrammetry surveys, production of detailed construction work stages and production of Conservation Management Plans.
- 6.3.8. The LA welcomes the submission from the Department and confirms that it is committed to liaising with the Department and the National Monuments Service (NMS) post planning and prior to the construction of the Westgate 2040 works to agree relevant details. Noting this, the LA requests that the additional work outlined in the Department's submission is reworded by the Board from 'prior to any grant of planning' to 'prior to construction'. It is contended that the information provided as part of the planning application package and the willingness of the LA to accept all relevant 'prior to construction' planning conditions and to engage fully with Department and NMS will enable the Board to determine the planning application as submitted.

- 6.3.9. In terms of the use of Corten Steel roof within Old Abbey Lane, it is stated that the design intention for the Old Abbey structure is to create a covered outdoor space that is flexible, and can accommodate a variety of cultural, arts and community events/performances within the footprint of the currently roofless chapel. This will be achieved by constructing a new freestanding Corten steel canopy within, but offset from, the remains of the Old Abbey. The roof structure is intended as a contemporary intervention that is respectful and clearly distinguishable from the historic fabric of the existing Abbey structure. It is contended that Corten steel, which is a widely accepted material for contemporary and historic architectural and engineering structures, was carefully considered and selected by the members of the Westgate Design Team, including the project's Grade 1 Conservation Architect, as the preferred material for the proposed freestanding roof. It is stated that its dark reddish-brown colour provides a warm and respectful contrast with the heritage assets to avoid any potential pastiche issues arising while also sitting comfortably in the context of the grey Irish limestone of the historic Old Abbey.
- 6.3.10. The submission notes that the use of Corten steel is considered appropriate for the Westgate 2040 project area and national and international examples are provided as precedents to demonstrate the special qualities of Corten steel as an appropriate material for heritage assets. The use of stainless steel and glass was considered by the Design Team but was discounted due to durability, maintenance, potential for glare and local topography issues in this specific urban location. Corten steel has been selected as the preferred material for the freestanding canopy structure and as a consistent material throughout the wider application site, particularly noting its qualities and that it is a material that is flexible, requires low maintenance and is 100% recyclable.
- 6.3.11. In response to the commentary regarding the Medieval Town Wall, the submission notes that the area of the former medieval town wall has been incredibly challenging from a design perspective noting the difficult topography levels and that the site is constrained by the former medieval town wall to the east and the road/bridge infrastructure including its retaining wall and embankment to the west. It is stated that the area is also 'cut off' from general public access and has become overgrown and a location for antisocial behaviour. The preferred design option, i.e. the proposals

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submitted to the Board, represents the softest and least dominating design solution which can also achieve universal (Part M) access through the area. The proposals have been designed to provide a renewed focus on, and better present and integrate, the upstanding remains of the former medieval town wall by 'opening' the area up to allow public access. It is stated that the bespoke universally accessible (Part M complaint) raised walkway will provide a seamless connection between, George's Square, West Street and the Riverfront character areas. In addition, a more direct ground level pedestrian path is also proposed as a secondary route through the area and to provide a more intimate experience and interaction with the wall.

- 6.3.12. The submission notes that the proposals include a range of interventions, such as the ground inserts (as recommended in the 'Conservation Plan Town Walls and Other Defences of Drogheda') delineating the location of the former medieval town wall, which will further complement and highlight the cultural heritage in this area.
- 6.3.13. In terms of the 'Preservation of Street Furniture', it is stated that the Westgate 2040 proposals seek to retain and celebrate as much of the heritage features within the area. The feasibility of retaining the cast iron drain grates made by and inscribed 'Drogheda Ironworks' will be reviewed as part of the detailed construction stage.
- 6.3.14. The submission notes that the demolition of the section of wall located between Father Connolly Way and Old Abbey Lane has been assessed in the EIAR and no adverse effects with respect to cultural heritage, archaeology or architectural heritage have been identified as a result of the proposed demolition. It is stated that the demolition seeks to create a new direct physical and visual link to/from West Street/Father Connolly Way/Old Abbey Lane to provide enhanced connectivity between these areas and invite people from West Street down to the new public realm areas and interventions within Old Abbey Lane and onwards towards the riverfront area. In addition, the demolition will help to create a stronger context connecting the Abbey structure to its surroundings streets and laneways and alleviate concerns surrounding anti-social town centre spaces.

#### **Barlow House**

6.3.15. It is noted in the submission that the Westgate 2040 proposals have been designed to

ensure that they do not impede or prevent Droichead Arts Centre from progressing with their emerging redevelopment proposals. It is noted that the Westgate 2040 project will provide vehicular access to Barlow House via the existing access from West Street. Current proposals identify a tree within the existing access. However, this proposed tree will not be included in the final scheme and the LA would welcome a condition to be attached to the grant of planning requiring same.

- 6.3.16. The proposed new shared surface treatment along West Street will also provide ample space for performers/etc to move sets, equipment, supplies into Barlow House. Furthermore, this new shared surface treatment area has been designed with a level profile to provide a flexible space that can act as a new 'cultural' square and accommodate evening and/or weekend events which will complement the Droichead Arts Centre and its emerging proposals.
- 6.3.17. The submission notes that the roller door access off George's Street/George's Square has not been used for many years and there is currently no vehicular access at this location. This area is currently a wide pedestrian pavement/plaza and a bus stop area with a raised kerb treatment. This space may provide a complimentary function such as pedestrian access between the proposed plaza at George's Square and the emerging Barlow House proposals. The submission notes that the roller door area is not considered to be a suitable location for vehicular access/egress noting the current arrangement as outlined above; the complexities of the junction network at this location; the potential risk for road safety issues; and the new proposed arrival/gateway area for George's Square which is critical for the wider Westgate 2040 regeneration project.

#### Road Safety Audit

6.3.18. The submission notes that the Stage 1 RSA identified potential issues of road safety and set out various recommendations. It is confirmed that the findings of the Stage 1 RSA were reviewed in detail by the Design Team and the drawings/reports were then amended to address the issues raised and take account of the recommendations. Importantly, the proposals submitted to the Board in December 2023 represent an amended scheme which has been modified to respond to the Stage 1 RSA findings provided by Road Safety Matters Ltd in May 2023. As required, the Design Team

completed the RSA Feedback Form confirming acceptance of the issues and recommendations contained within the stage 1 RSA. The RSA Feedback Form was then signed off by the relevant parties including the Auditor (Road Safety Matters Ltd) and is compliant with the Road Safety Audit process. It is stated that this sign off stage confirms that the issues/recommendations have either been addressed by the amended proposals or can be addressed during the subsequent RSA stages post planning. It is confirmed that the Westgate 2040 proposals will be subject to further RSA stages post planning to ensure that the implementation of the scheme is in full accordance with all relevant road safety standards and requirements.

#### Traffic, Transport and Parking

6.3.19. Noting the various commentary within the submissions on the file, a summary of the responses to each issue is provided in Table 6.2 below:

#### Table 6.2

Matter Raised	Response
HGVs and Other Service Vehicles	The Westgate 2040 proposals have been designed to encourage a modal shift towards more sustainable modes of transport and to prioritise pedestrian and cyclist movements within the area. In addition, it has been designed to enable HGVs, other service vehicles and emergency vehicles to move through the area following implementation, if required.
Coach Parking	An existing coach parking/set down area along Dominic Street will be retained which will enable touring/tourism coaches to pull in and for passengers to disembark in close proximity to the Town Centre area. It is stated that the LA will also continue to monitor tourism coach parking services within the wider Drogheda Town Centre context and appropriate measures will be implemented, if required.
Bus Shelter	The Westgate 2040 proposals do not currently incorporate bus shelters on George's Square. However, the proposals have been designed in a manner to enable a bus shelter to be provided on the eastern side of George's Street adjacent George's Square and there will be further consultations with the NTA and local bus operators following implementation of the Westgate 2040 proposals to determine the need for a bus shelter at this location and secure relevant funding, if required. Bus shelters cannot be accommodated on the western side of George's Street due to limited footpath widths in this area.
Car Parking	Car parking provision proposed as part of the Westgate 2040 proposals is adequate to serve the needs of the wider community and visitors to the town whilst encouraging sustainable modes of transport in compliance with national, regional and local policy and the objectives of the Climate Action Plan.
Cycle Connectivity	Proposals have been designed to integrate with wider active travel infrastructure improvements and to prioritise cyclist and pedestrian movements within the area. Dedicated cycle lanes are proposed where there is sufficient room to incorporate these. Shared surface treatments are proposed along streets/lanes which are not wide enough to accommodate a dedicated cycle lane, such as Father Connolly Way and West Street. The proposals include a combination of interventions which together will provide safer and lower traffic routes and enhanced connectivity for cyclists through the Westgate 2040 area.

Covered Bike Shelters	The proposals do not currently propose covered bike shelters. However, the Local Authority will monitor the operation of the area following implementation of the proposed works and any requirement for covered bike shelters can be reviewed.
Cycle Access	Westgate 2040 will be linking in with proposed Local Authority active travel schemes to provide linkages on both side of Dominics bridge, linking cyclists to the town centre, the Dublin Road and to the river Boyne greenway.
Uncontrolled Pedestrian Crossings	Uncontrolled crossing points are proposed along streets/lanes within the application site with lower traffic volumes and lower speed limits. It is noted that all pedestrian crossing points along George's Street/R132 will be controlled crossing points.
Traffic Lights - George's Street	The section of George's Street located within the application site has been designed to integrate with the Local Authority's wider active travel proposals along the R132/George's Street. The synchronisation of traffic signals along George's Street will be undertaken as part of the wider active travel infrastructure upgrades when they are delivered to ensure that traffic lights and vehicular/cycle movements along this route are designed and managed holistically and in compliance with the relevant standards.

#### Protected Views and Prospects

6.3.20. The submission refers to the Landscape Visual Impact Assessment (LVIA) which concludes that the proposed development is not likely to create any significant effects with respect to visual amenity, townscape/landscape character or protected views and prospects.

#### Public Toilets

6.3.21. The submission notes that the existing public toilet block within George's Square was closed c. 2019 due to safety, repeated anti-social behaviour and maintenance issues. The potential to retain the toilet block was considered. However, it was discounted due to the difficult topography levels within George's Square, the large footprint of the toilet block, the requirement to deliver a high-quality arrival/gateway area within George's Square and the requirement to enhance functionality of the areas located adjacent to the existing businesses/building line. The submission notes that a more modern, safe and accessible public toilet could be installed at a suitable location in the future, if required and the LA will continue to monitor public conveniences available within the Westgate area and wider Drogheda Town Centre following implementation of the proposals.

# 7.0 Assessment

**7.1.** Having regard to the requirements of the Planning and Development Act, 2000 (as amended), this assessment is divided into three main parts:

- The likely consequences for the proper planning and sustainable development of the area;
- The likely effects on the environment (Environmental Impact Assessment);
- The likely significant effects on a European site (Appropriate Assessment).

In each assessment, where necessary, reference is made to issues raised by all parties. There is an inevitable overlap between the assessments, for example, with matters raised falling within both the planning assessment and the environmental impact assessment. In the interest of brevity, matters are not repeated but such overlaps are indicated in subsequent sections of the report.

# 8.0 The likely consequences for the proper planning and sustainable development of the area

Having examined the application details and all other documentation on file, including the submissions on file, the relevant local/regional/national policies and guidance and having inspected the site, I consider that the substantive issues to be considered are as follows:

- Policy Support & Principle of Development
- Archaeology
- Built Heritage & Design
- Transport, Access & Parking

## 8.1. Policy Support & Principle of Development.

8.1.1. The application is seeking permission for public realm regeneration works on lands within the Westgate Vision Area of Drogheda. The project is known as 'Westgate 2040' and aims to act as a catalyst to support positive regeneration, compact growth and sustainable development in the Westgate Vision Area and the broader Drogheda Town Centre. To provide some background context, a development strategy for the area (Westgate Vision (WGV) (A Townscape Recovery Guide)) was published in June 2018. This was a non-statutory, advisory document which intended to guide the community and developers in their consideration of future development proposals within the WGV Area. The WGV had been prepared in response to various recommendations provided within the Urban Design Framework Plan (UDFP) for the Heritage Quarter Drogheda 2013. This UDFP identified parts of the town as requiring

comprehensive urban regeneration including the underperforming area at the western extremity of the circuit of the medieval town walls at Westgate.

- 8.1.2. I note that there are a number of references to the WGV in the current Plan (2021-2027). In terms of 'regeneration', Section 1.2.1 (Drogheda) of the Plan notes that integrated physical, economic and social regeneration will be promoted to capitalise on existing infrastructure, and it highlighted that the Westgate Area has received funding under the Urban Regeneration Development Fund (URDF). In addition, Section 2.13.3 (Regeneration Areas) of the Plan recognises that there is significant potential for the town to deliver compact growth, with a number of vacant and underutilised buildings and land situated within its core which includes the Westgate area. It is highlighted that the Westgate area has the capacity to accommodate commercial, office, and residential uses in a part of the town that has experienced high levels of vacancy and dereliction. Following on from this, it is a specific policy objective (SS 7) 'To support the progression and implementation of any projects in Drogheda funded by the Urban Regeneration and Development Fund including the Westgate Vision'.
- 8.1.3. In terms of national and regional level policy support for a development of this nature, there are a number of National Policy Objectives (NPOs) that seeks to ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being (NPO 4). In addition, objectives seek to regenerate and rejuvenate cities, towns and villages of all types (NPO 6) and there is a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages (NPO 11). Under the RSES, Drogheda is designated as a 'Regional' Growth Centre' and the policy acknowledges that there is an opportunity for regeneration and placemaking in the town and it is stated that the revitalisation and redevelopment of the town centre will be prioritised. Of particular note, the policy supports the physical, economic and social regeneration of the Heritage Quarter, including the renewal of the Westgate area, as provided for in the WGV. The RSES notes that the WGV supports the adaption and reuse of vacant buildings, the sensitive redevelopment of vacant lands for new homes and businesses within a dynamic public realm investment program to provide an attractive and well-designed urban district.

- 8.1.4. The WGV area comprised three interdependent sub areas, being the 'Donaghy's Mill' area to the west of the R132, the 'Barlow' area to the north of West Street and the 'Old Abbey' area to the south of West Street. The Local Authority's Design Statement confirms that the 'Westgate 2040' proposals seek, where possible, to take forward the vision, principles and objectives of the WGV and respond to detailed design testing and feedback received through consultations with the community and stakeholders. It is acknowledged within the Design Statement that the 'Westgate 2040' proposals do not fully align with the extent of the WGV area, given the proposals are focused predominantly on streets/roads/lanes and public realm areas. I note that the application site does not comprise any opportunity plots/sites identified for redevelopment in the WGV. As detailed in Section 2 of this report, the 'Westgate 2040' regeneration area has been divided into a total of 6 no. Character Areas. This has been done due its overall size and to recognise the distinctiveness of different areas within the site. The vision notes that 'combining bold architecture and pioneering urban design, the 'Westgate 2040' regeneration area will be transformed to create a multifunctional, innovative and welcoming destination of choice, which celebrates and capitalises on the area's rich natural and built heritage assets and acts as a catalyst to support positive regeneration, compact growth and sustainable development in the area and wider Drogheda Town Centre'.
- 8.1.5. Although the site largely relates to the public realm areas, roads and pedestrian footpaths, the site partially overlaps lands zoned D1(Regeneration). This is the predominant land use within the immediate environs of the application site and has an objective 'To facilitate social, economic and physical regeneration and/or rejuvenation of an area or specific lands'. Section 13.21.16 of the Plan notes that the purpose of the 'Regeneration' zoning is to encourage and facilitate opportunities for regeneration and place making. It is stated that regeneration lands are strategically located within settlements and consist of vacant or under-utilised buildings or land with significant potential to stimulate the rejuvenation of an area or neighbourhood. The potential uses of the lands in these zones are specific to the location of each area or piece of land and can include residential, commercial, business, retail, employment, or community uses. The zoning aims to support regeneration, make a positive contribution to urban spaces, and improve quality of life for all. I note that there is a wide range of uses

within the Plan which have been identified as 'open for consideration' and have been designated as such, taking account of the broad potential uses associated with these lands.

8.1.6. From my observations when inspecting the site and surrounding area, it was evident the area is in a need of rejuvenation and dereliction is a significant issue. Although the project area boasts a rich tapestry of archaeological, architectural and natural features, these all stand in isolation, with many in a poor state of repair. Overall, I am satisfied that the proposed development will provide regeneration works within the public realm that will highlight, completement and in many cases celebrate these features. The development will enhance and open up the riverfront to the public through the creation of shared spaces, improve integration and public access to features of archaeological interest and enhance and improve access and permeability through the entire project area. Although some concerns have been raised with respect to aspects of the proposed development, the overall principle of the scheme is generally supported in the public submissions on file. I note that detailed discussion regarding the development's design is provided within Section 8.3 of this report. It is evident that the proposed development is fully supported in local through to national policy and I am satisfied that the development both accords with and supports the zoning objective that pertains to the lands. In my view, the principle of proposed development is therefore acceptable. Noting the complexity of state funding supporting the proposed development, I consider it appropriate that the period for which development consent can be implemented is 10 years from the date of the Board Order. A condition to this effect is attached for the Board's consideration.

## 8.2. Archaeology

- 8.2.1. As detailed previously, the overall site of the proposed development boasts a rich archaeological heritage. As per Map 9.1 of Appendix 9 of the current Plan, the site is located within the zone of archaeological potential for the historic town of Drogheda (LH024-041) (Recorded Monument). In addition, there are 4 no. recorded monuments either within or immediately adjoining the application site, which include:
  - The Old Abbey (LH024-041011);
  - The line of the medieval town walls and the site of two gates (LH024-041014- : Town defences) (As illustrated on Map 10.3 (Drogheda Town Walls) of Appendix

10 of the current Plan,

- The site of a quay (LH024-041079), and,
- LH024-041063- : House medieval

Both the Town defences and Old Abbey are designated as National Monuments, all of which are subject to statutory protection in the Record of Monuments and Places, established under Section 12 of the National Monuments (Amendment) Act 1994.

- 8.2.2. As noted, it is highlighted within a public submission on file that the medieval religious house (i.e. The Old Abbey (LH024-041011)) has been incorrectly identified throughout the planning application documents as St. Mary d'Urso. It is contended that this error should be corrected in any future documentation associated with this project. I note that this structure has been identified as the Old Abbey (St. Mary d'Urso) in the application documents and in the report from the Department. I acknowledge that the following information is detailed in the description of the Recorded Monument by the National Monuments Service:
  - 'The ruins survive, although they have been mistakenly called the hospital of Mary d'Urso beginning with D'Alton (1844, vol. 1, 111-16), but this is now firmly identified as the house of the Augustinian friars (McHugh 2019).'

Whilst I accept this error, I note that there are references to St. Mary d'Urso provided within this report so to avoid confusion.

- 8.2.3. As part of the works within the 'Old Abbey Lane' character area, the LA are proposing to repair and restore the Old Abbey (RPS. Ref. No. DB-187 and RMP No. LH024-041011). This includes the freestanding west gable of its north aisle (see Drawing No. LOUX3001-P-000-113-A). As part of the works, it is proposed to provide a new freestanding Corten steel canopy which will be constructed within, but offset from, the remains of the Old Abbey. By enclosing this space, it is the intention to create a flexible and covered outdoor space which can be used for a variety of culture, arts and community events/performances. It is stated that the freestanding west gable ruin will be reinstated with sensitive maintenance and repair works with spacing around the gable to enable it to act as a focal point within the lane.
- 8.2.4. In terms of the 'Medieval Wall' character area, permission is being sought to repair

and restore a section of the upstanding remains of the old Medieval Wall (RPS Ref. No. DB-188 and a recorded monument - RMP No. LH024-041014). This section of the wall is located immediately to the east of the R132/George's Street and to the west of a surface level car parking area and existing structures. In addition to the restoration works, it is proposed to provide a connection between George's Square, West Street and the Riverfront character areas. This includes the provision of an architecturally designed raised walkway and a more direct ground level pedestrian path which will run adjacent to the Medieval Wall. A new water feature proposed within George's Square and shallow rainwater channel terminating within a new rainwater retention pond SuDS feature and the southern end of the walkway.

- 8.2.5. Within their report on file, it was the Department's view that a more detailed Archaeological Impact Assessment should be prepared to assess any impact on archaeological remains within the overall site. In addition, it is recommended that further consultation be undertaken with the Department so that appropriate archaeological recommendations can be made before a planning decision is taken. A request for further information is recommended within their report which I have summarised in Section 6 and includes a requirement for further consultation with the Department, engagement of a suitably qualified archaeologist and Grade 1 Conservation Architect to carry out more detailed assessments and the preparation of detailed method statements for works associated with the Recorded Monuments.
- 8.2.6. As part of the EIAR, Chapter 16 (Cultural Heritage & Archaeology) has been prepared to assess the impact, if any, on the archaeological and cultural heritage resources within and in the vicinity of subject site. This Chapter has been prepared by IAC Archaeology (IAC) and their methodology comprised an initial desk-based survey of all available archaeological, historical and cartographic sources which was followed by a field inspection of the study area. In terms of potential impacts on archaeological features within the site, the EIAR acknowledges that it is possible that the proposed repair works and construction of the canopy at the Old Abbey may have a direct, very significant negative impact on its medieval fabric. In addition, new paving will be required throughout this area and as such, ground disturbances associated with the

development may have a direct, negative and very significant impact on any buried archaeological remains along the path of Old Abbey Lane. Further to this, the restoration of the Medieval Wall and the construction of the footpath, water feature channel and retention pond may have a direct, very significant negative impact on the medieval fabric of the wall and any adjacent buried archaeological remains. However, the EIAR proposes various mitigation measures to ensure that negative impacts on the archaeological assets within the application site do not arise. These are described in full in my assessment of Chapter 16 of the EIAR and in summary, include a requirement:

- To carry out a detailed measured photogrammetry survey of the upstanding medieval fabric associated with the Abbey and the upstanding town wall and the preparation of Method Statements for all works associated with the Monuments
- For all ground disturbances relating to the resurfacing of Old Abbey Lane to be subject to archaeological monitoring which will be carried out under Ministerial Consent, by a licenced eligible archaeologist.
- Archaeological monitoring of all ground disturbances (expected to be minimal) relating to the laying of the new footpath to the west of the wall and the insertion of a water feature channel and rainwater retention pond.
- All excavations within the public realm area (with the exception of re-surfacing) will be subject to archaeological monitoring under licence, as issued by the National Monuments Service of the DoHLGH. If archaeological remains are identified, further mitigation may be required, such as preservation in situ or by record. Any further mitigation will require agreement from the DoHLGH.
- 8.2.7. Within their report on file, the Department refer specifically to Section 3.6 of the Frameworks and Principles for the Protection of the Archaeological Heritage, 1999 (FPPAH). I am also conscious of Objective BHC 1 of the current Plan which seeks 'To protect and enhance archaeological sites and monuments, underwater archaeology, and archaeological objects listed in the Record of Monuments and Places (RMP), and/or the Register of Historic Monuments and seek their preservation (i.e. presumption in favour of preservation in situ or in exceptional cases...'As per Section 3.6 of the FPPAH, archaeological assessment may, as appropriate, include documentary research, field-walking, examination of upstanding or visible features or

structures, examination of existing or new aerial photographs or satellite or other remote sensing imagery, geophysical survey, topographical assessment, general consideration of the archaeological potential of the area or areas affected by a development based on their environmental characteristics, or archaeological testing. As noted previously, the Applicant has undertaken detailed documentary research and a field inspection of the study area. In my view, it is evident that the proposed development is seeking to restore and celebrate the archaeological features within the project area, with a key focus of the scheme on the 2 no. National Monuments. In addition, there is a commitment for archaeological preservation through adherence with the various mitigation measures listed in the EIAR. Whilst I acknowledge that further approval is required post planning under Ministerial Consent given the status of the Monuments, I would agree that further engagement is required with the Department prior to the commencement of development. It is my view that there should be an obligation on the LA to undertake further archaeological assessment and prepare detailed method statements for all proposed works associated with the Recorded Monuments. I am satisfied that this matter could be addressed by way of condition, and it is my recommendation that there should be a requirement for all documentation to be placed on the public file. Subject to compliance with this condition, I consider the proposed development to be in accordance with the pertinent policy of both the current Plan and the National policy provisions (FPPAH). The proposals are therefore acceptable having regard to the archaeological sensitivities of the site and surrounding area.

8.2.8. Within the Department's report on file, it is highlighted that the subject site is located proximate to a wreck (Wreck Inventory of Ireland ref W18567) that is afforded protection under Section 3 of the National Monuments (Amendment) Act 1987. It is stated that that the large metal vessel lies on the riverbed near the quay wall, immediately east of the Peace Bridge and is likely a barge from the former Boyne Navigation. When inspecting the site, the river was low due to its tidal nature, and I observed the wreck on the riverbed. I note that there is another wreck (W18585) located on the southern banks of the river, further to the west of the site. A recommendation is provided by the Department for measures to be put in place to ensure their protection, should works be undertaken in close proximity to the vessels.

The submission notes that project also provides an opportunity to highlight Drogheda's significant underwater cultural heritage, and it is recommended that an interpretation strategy forms part of the final project design. A similar point has been raised within a number of public submissions on the application and it is suggested that the barge could be retrieved, conserved and set up on the riverbank as a static display, forming a tangible link to Drogheda's industrial past and the importance of the River Boyne in its history. In their response to the submissions on file, the LA note that the application site does not extend into the River Boyne area and the proposals do not relate to, nor will they affect, any existing shipwrecks or underwater archaeology located within the River Boyne. However, it is stated that the Westgate 2040 proposals will not preclude opportunities in the future to highlight underwater cultural heritage or implement further interpretation strategies. It is contended that the proposed development will complement and support these types of initiates in the future by enhancing connectivity with the River Boyne. As the proposed site does not extend into the River Boyne and there is no requirement for in stream works, I am satisfied that the proposals do not have the potential to adversely impact these archaeological features. Whilst I note that there is policy support in the current Plan for the protection and enhancement of underwater archaeology (BHC 1), it is my view that proposals to incorporate the existing wreck into the current scheme goes beyond the scope of this application and the guiding principles and objectives contained within the WGV. Nonetheless, I would agree with the LA that the proposed development can support initiatives of this nature in the future, given the proposal provides for a significant enhancement of the riverbank and its integration into the wider development area.

#### 8.3. Built Heritage & Design

- 8.3.1. In addition to the archaeological significance of the site, the Westgate area boasts a rich architectural heritage with a significant number of Protected Structures located within, and immediately adjoining the boundary of the site. Figure 17.2 of the EIAR identifies all Protected Structures within the development area and a full list of the Protected Structures is provided in Table 17.1 (Protected Structures Located within/adjacent to the Application Site). Further to this, the development area overlaps 3 no. ACAs which include:
  - Fair Street (i.e. No. 4 in in Map 11.1 of Appendix 11 of Volume 3 of the LCDP 2021-2027);

- West Street and Surrounding Streets (i.e. No. 14 in Map 11.1 of Appendix 11 of Volume 3 of the LCDP 2021-2027); and,
- Old Abbey Lane (i.e. No. 17 in Map 11.1 of Appendix 11 of Volume 3 of the LCDP 2021-2027).
- 8.3.2. As noted, the overall site has been divided into a total of 5 no. key character areas for design/development purposes which comprise:
  - George's Square and West Street;
  - Medieval Wall;
  - Old Abbey Lane;
  - Riverfront; and
  - Adjoining Streets/Lanes.

I note that there are a number of heritage assets either within or immediately adjoining each character area and the following sections of this report will discuss the proposals in further detail and respond to the various issues raised by the Department and in the public submissions on file.

## George's Square and West Street

- 8.3.3. This area comprises George's Square, part of George's Street/R132, part of West Street and the junction of Fair Street and George's Street. The site falls partially within the Old Abbey Lane ACA and has a direct abuttal with Fair Street ACA (east). There are also a number of Protected Structures within the ACA that have a direct abuttal with the subject site. Of particular note is Barlow House (RPS DB-232). This building dates to 1738 and is of considerable architectural significance as a Georgian townhouse. In addition, it served as an RIC Barracks in the Victorian Era, a Garda Station following Independence and is now home to the Droichead Arts Centre and is an important cultural hub in the town of Drogheda.
- 8.3.4. Currently, this section of George's Street comprises four lanes of traffic separated by a central median, with 2 no. bus stops on either side of the carriageway. An area of surface level car parking is accessible from Fair Street to the north and there is an existing public toilet block to its south. The proposals include a reprioritisation of George's Street (R132) which will be upgraded to now include new dedicated cycle

lanes which have been designed to integrate with the LA's wider active travel proposals. The works to George's Street will enable the enlargement of George's Square and it is proposed to demolish the existing toilet block and remove the surface level car parking to create a public realm plaza. The square will provide enhanced permeability and new high quality soft and hard landscaping features, including a water feature which will run through the plaza in a north-south direction. The existing bus stops are proposed to be retained, and new surface treatments are proposed throughout.

- 8.3.5. Concerns have been raised within a number of public submissions regarding the demolition of the existing public toilets and there are calls for it to be retained and modernised. As part of the LA's response, it is confirmed that the toilets were closed c. 2019 due to safety, repeated anti-social behaviour and maintenance issues. Although its retention was considered, it was discounted due to the difficult topography levels within George's Square, the large footprint of the toilet block, the requirement to deliver a high-quality arrival/gateway area within George's Square, the requirement to provide universal (Part M) access within George's Square and the requirement to enhance functionality of the areas located adjacent to the existing businesses/building line. Demolition drawings for the toilet block are provided on Drawing No. LOUX3001-P-000-107-A. Whilst the structure has some vernacular features and borders the ACA, the building is not listed as being of architectural significance nor does it appear on the historic mapping for the area (i.e. Historic Environment Viewer, National Monuments Service). Overall, I am satisfied that its demolition does not impact or detract from the character of the adjoining ACA and its removal will enable the creation of a more accessible and functional urban plaza within George's Square.
- 8.3.6. The West Street area has been designed to act as a new gateway/arrival space and the former West Gate will be re-established through the introduction of two bespoke freestanding Corten steel structures at the junction of West Street and George's Street. I note that each steel structure has a height of c. 4.7m, the details of which are provided on Drawing No. LOUX3001-P-000-129-A. A new shared surface treatment is proposed to the front of Barlow House and the intention is to provide a flexible space that can act as a new 'cultural' square and accommodate evening and/or weekend

events. Notwithstanding this, concerns have been raised within 2 no. public submission that the design of the development fails to create a sense of arrival at George's Street and suggestions have been made for revisions to the scheme. I would agree with the LA that the creation of new high quality and multi-functional urban plaza within George's Square and the public realm improvements along the western section of West Street will successfully create a clear sense of arrival to the Westgate area. Whilst there are no works proposed to Barlow House, public realm improvement works are proposed within its immediate environs to provide this new multi-functional space. Noting the overall scale of the freestanding Corten steel structures and their separation from Barlow House, I am satisfied that the works overall will enhance the setting of the existing Protected Structure and are positive design features which are sympathetic to the architectural character of the ACA and the adjoining Protected Structures.

8.3.7. A submission has been received from the Droichead Arts Centre who are the current owners of Barlow House and who are generally supportive of the proposed development. However, they have highlighted their intention to create a new flagship arts centre to the rear of Barlow House and there would be a requirement for side/rear access for the new theatre space. It is noted that there is currently a roller door access from George's Square and concerns are raised that its redevelopment would restrict rear access. In their response, the LA note that the development has been designed to ensure that they do not impede or prevent the Droichead Arts Centre from progressing with their emerging redevelopment proposals. It is indicated that the access off George's Street/George's Square has not been in use for several years and there is currently no vehicular access at this location. It is the LA's view that this is not a suitable location for vehicular access/egress, noting the complexities of the junction network at this location, the potential risk for road safety issues and the new proposed arrival/gateway area for George's Square which is critical for the wider Westgate 2040 regeneration project. However, it is acknowledged that this space may provide a complimentary function, such as a pedestrian access between the proposed plaza at George's Square and the emerging Barlow House proposals. It is stated that vehicular access to Barlow House via the existing access from West Street will be retained. As per Drawing No. LOUX3001-P-000-103-A (Proposed Site Plan), the current proposals identify a tree at the location of the existing access. However, the LA have confirmed

that the tree will not be included in the final scheme, and they would welcome a condition to be attached in the event of a grant of planning permission. I note that this was raised as an issue within the submitted RSA. Overall, I am satisfied that the retention of the existing vehicular access to the side of Barlow House will ensure that its future redevelopment is not compromised. The proposals are therefore acceptable in my view, subject to compliance with an appropriate condition.

#### Medieval Wall

- 8.3.8. The Medieval Wall character area comprises the upstanding remains of the town wall, a portion of the R132/George's Street to where it meets the river crossing at the Bridge of Peace and the area of land located between the former town wall the embankment to and R132/George's Street. The character area has a partial abuttal with the Old Abbey Lane ACA and the Town Wall is designated a Protected Structure in the current Plan (2021-2027) (RPS Ref. No. DB.188). The character area has also an abuttal with West Gate House (RPS Ref. DB.306) which is located at its northern end. From my observations on site, the town wall is in a poor condition with extensive vegetation cover and evidence of graffiti. In addition, I note that the area of land between the embankment and the town wall is not readily accessible to the public and in my view is in clear need of renewal.
- 8.3.9. One of the standout features of the proposed development is the provision of a universally accessible raised walkway within the area of land located between the former town wall and the embankment. The intention is to provide a renewed focus on the upstanding remains of the former town wall so that is becomes an important and celebrated historical artefact in Drogheda's urban landscape. The design approach of the raised walkway seeks to create a natural urban link, with universal (Part M) access from George's Square linking through the Medieval Wall area and down to the revitalised Riverfront area. It is noted within the LA's Design Statement that the raised walkway is designed as an experience, rather than a necessity, and contains several seating and breakout areas/spaces which will provide opportunities for users to view and appreciate the medieval wall and also look across the area and discover other new interventions within Old Abbey Lane and the new Riverfront. Extensive landscaping is proposed along the existing embankment and a more direct ground

level pedestrian connection is proposed which will have an abuttal with the town wall. In addition, the new water feature within George's Square will continue through this character area as a narrow and shallow rainwater channel terminating within a new rainwater retention pond.

8.3.10. Within the Department's report on file, they note that the proposed ramp appears to be of substantial scale and length in the context of the historic setting of the town wall. Whilst they welcome greater engagement with the wall, they note that the proposal appears not to have fully evaluated the surviving wall, its features and relationship to the river. It is stated that the length and close proximity of the contemporary ramp to sections of the medieval wall creates potentially insecure spaces and the overall dominance of the contemporary design set against the wall appears to diminish the presence or experience of the wall. As noted, the raised walkway extends through the entirety of the linear shaped character area, where it provides a link to the Riverfront area to the south. The ramp spans a distance of c. 102m and a varied setback is provided (minimum of c. 2.2m) from the town wall given the form and curved alignment of the walkway. Section diagrams (Drawing Nos. LOUX3001-P-000-118-A & LOUX3001-P-000-119-A) have been enclosed at various points to illustrate the relationship between the raised walkway and the upstanding remains of the wall. Details of the materials and finishes are also illustrated on Drawing No. LOUX3001-P-000-145-A (Detail Drawing 17 Winding Walkway). Overall, I am satisfied that adequate separation distances are provided, and the overall scale of the structure allows for a greater appreciation of the wall. In addition, the walkway will not unduly impede views of the wall from the George's Street to the west given the variation in topography and difference in levels. In my view, the bespoke design of the walkway is an attractive feature of the overall scheme in of itself. Furthermore, it will enhance permeability and will transform this area of the town by providing a renewed focus on the medieval town wall. As detailed earlier in this report, the sensitivities of the site are acknowledged and further assessment and engagement with the Department is required prior to the commencement of development. It is my recommendation that there shall be a requirement for the LA to prepare a detailed method statement for all repair works to the town wall and for all works located within its vicinity (i.e. groundworks, installation of walkways and SuDS features etc.), with a record of same being placed on the public file prior to the commencement of development. Subject to compliance with this condition and the mitigation and monitoring measures set out in the EIAR, I consider this element of proposed development to be acceptable.

#### Old Abbey Lane

- 8.3.11. The character area comprises lands located within Old Abbey Lane, the adjoining areas of Father Connolly Way and a small area to the rear of No. 56/57 West Street. The area lies partially within the Old Abbey Lane ACA and contains a Protected Structure. As noted in Section 8.3, it is proposed to repair and restore the Old Abbey and the freestanding west gable ruin (RPS. Ref. No. DB-187 and RMP No. LH024-041011) and its restoration is generally deemed to be acceptable subject to compliance with appropriate conditions. A key feature of the overall project is the provision of a new freestanding Corten steel canopy which is to be constructed within but offset from the remains of the Old Abbey. As indicated, the intention is to create a flexible and covered outdoor space which can be used for a variety of culture, arts and community events/performances.
- 8.3.12. Within the report from the Department, it was their view that detailed design proposals (including demolitions) in the context of the surviving fabric are necessary to inform the overall approach, planning and conservation outcome. In addition, they question the use of Corten steel, and it is their view that the dominance of the roof colour and material confuses the experience of the surviving structure. I note that similar concerns were echoed in a number of the public submissions on the file which I have summarised previously. In response, the LA have noted that the roof structure is intended as a contemporary intervention that is respectful and clearly distinguishable from the historic fabric of the existing Abbey structure. It is contended that Corten steel, which is a widely accepted material for contemporary and historic architectural and engineering structures, was carefully considered and selected by the members of the Westgate Design Team, including the project's Grade 1 Conservation Architect, as the preferred material for the proposed freestanding roof. It is stated that its dark reddishbrown colour provides a warm and respectful contrast with the heritage assets while also sitting comfortably in the context of the grey Irish limestone of the historic Old Abbey. An alternative palette of materials was considered, including the use of

stainless steel and glass to enclose the space. However, these were discounted due to durability, maintenance, potential for glare and local topography issues in this specific urban location.

- 8.3.13. Details of the structure are provided on Drawing No. LOUX3001-P-000-111-A (Abbey - Proposed Plans, Elevations Sections A-A and B-B). The pitched roof structure has a maximum height of c. 12.5m and has been designed to reflect the general form of the abbey's original roof. Whilst I acknowledge the concerns of the observers and the Department, I note that the colour and tone of the Corten steel is muted, yet it is contemporary and clearly distinguishable from the original fabric. Overall, I am satisfied that the structure in no way competes with the historical significance of the Abbey and ensures that views of the original fabric remain unobscured. I note that mitigation and monitoring measures have been set out within the EIAR. Of particular importance is the requirement to avoid any possibility of rust staining to the historic Abbey ruins from the new structure. Therefore, the design team responsible for the detailed design must ensure that there shall be no runoff of rust stained rainwater from the new canopy onto the adjacent ancient stone masonry. Subject to compliance with the mitigation measures proposed, I consider the proposed development to be acceptable. However, should the Board come to a different conclusion on this matter, consideration could be given to an alternative material for the roof which could be agreed with the Department prior to the commencement of development, with a record of same to be placed on the public file.
- 8.3.14. I note that there is a submission on file from Old Abbey Dance Studios whose premises is located within the Old Abbey Lane. It is noted within their submission that the identity and flexibility of the enclosed space is not fully understood given the absence of essential facilities that would be required for events. In addition, concerns are raised regarding the potential for anti-social behaviour within the space. This point has been echoed in a number of the public submissions on file. Further to this, their submission has indicated that one of the structural supports for the canopy appears to be located directly in front of the studio's main entrance and will therefore obstruct access. The interventions to the Old Abbey have been limited to the provision of the canopy structure which will create a flexible cultural space that can facilitate events. However,

the space will only be partially enclosed, and I am satisfied that the requirement for permanent facilities referred to by the observer are not required or necessary. I note that issues regarding anti-social behaviour are a matter for the An Garda Siochana. Notwithstanding this, I am satisfied that the development could act as a catalyst for the further regeneration of the lane, with that bringing the potential for increased occupancy and associated passive surveillance. I also note that works to the west of the site to create the new Abbey Square will also encourage greater footfall in the area. In terms of access, it is my view that a condition should be included which requires the detailed design specifications for the canopy to be prepared prior to the commencement of development with a record of same being placed on the public file. The finalised design shall ensure that the canopy and its support structures shall in no way impede access to existing properties along Old Abbey Lane.

8.3.15. Further concerns were raised by the Old Abbey Dance Studios regarding the visual impact of the canopy and its impact on the internal spaces within the dance studio by reason of overshadowing and loss of daylight. In response to their concerns, the LA have submitted a Daylight and Sunlight report to assess the impact of the proposed development on the immediately adjoining properties which has been prepared in accordance with the BRE Guidelines (Site layout planning for daylight and sunlight, 2022). Their study provides an analysis of the Vertical Sky Component (VSC) and Annual Probable Sunlight Hours (APSH) for the south facing rooms within the studio. VSC is a measure of the amount of light reaching a window and it is the ratio of that part of illuminance, at a point on a given vertical plane, that is received directly from a CIE standard overcast sky, to illuminance on a horizontal plane due to an unobstructed hemisphere of this sky. As per the BRE Guidelines, if the VSC is greater than 27% then enough skylight should still be reaching the window of the existing building. If the VSC, with the new development in place, is both less than 27% and less than 0.80 times its former value, occupants of the existing building will notice the reduction in the amount of skylight. APSH is the long-term average of the total number of hours during a year in which direct sunlight reaches the unobstructed ground (when clouds are taken into account). If a room can receive more than one quarter of APSH, including at least 5% of APSH in the winter months between 21 September and 21 March, then it should still receive enough sunlight. Also, if the overall annual loss of APSH is 4%

or less, the loss of sunlight is small.

8.3.16. From an examination of results of the Daylight and Sunlight report, it is evident that the south facing windows within the dance studio will see a reduction in the VSC and APSH (As detailed in Section 4.9-4.16). Having undertaken an inspection of the property, I note that there is a large studio space at first floor level which is located directly to the north of the proposed roof. This first floor studio is served by large floor to ceiling high windows which are identified as W1/F00 is the LA's Daylight and Sunlight report. The report notes that this first floor window will see the VSC value reduced from 28.7% to 13.5% (i.e. 52.1% reduction). However, I acknowledge that the VSC test in isolation has limitations, as the VSC results for a very small window would be the same as the result for a very large floor to ceiling glazed wall (as is the case within the first floor studio). The No Sky Line (NSL) is an assessment of daylight distribution within the room and accounts for the room size, number and size of windows serving a room, making it a more useful assessment in this instance as the VSC assessment only considers the amount of skylight reaching a single reference point (i.e. the window). The NSL analysis (i.e. Appendix 4 of the Daylight and Sunlight report) demonstrates that all south facing rooms within the studio meet the BRE guidance for this assessment, experiencing only negligible alterations. In terms of APSH, the first floor studio (W1/F01) has exceptionally high existing sunlight levels with 62% APSH. In the proposed scenario, this will reduce to 34% (against a BRE target value of 25%). Whilst the change is likely to be noticeable, the report notes that the room will retain APSH levels far exceeding the BRE recommendations. Whilst I acknowledge that there will be a reduction in sunlight and daylight levels within the studio space, I am cognisant of its commercial nature, the location of these windows relative to an existing public thoroughfare and Recorded Monument, its central urban location and the many benefits that the Old Abbey's restoration can bring to the site and surrounding area. I also note that the BRE guidelines are not mandatory. Although it gives numerical guidelines, it is stated these should be interpreted flexibly since natural lighting is only one of many factors in site layout design. Section 1.6 of the BRE Guidelines acknowledges that in a historic city centre for example, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings. In this case, there is a strong justification for the scale

and form of the proposed intervention (i.e. to align/mirror the form of the original roof). Whilst I note that the canopy structure will fundamentally alter the outlook from the studio spaces, I note that proposed roof will be positioned at an angle to the first floor level studio space, where a varied setback is provided and I am satisfied that the development will not unduly impinge on how these spaces are used. Overall, I am satisfied that the Applicant's proposals are acceptable subject to compliance with appropriate conditions which I have discussed above.

8.3.17. To the west of the Old Abbey, it is proposed to create a new enlarged 'Abbey Square' public realm area which will include new tree planting, hard landscaping and public seating areas. The west free standing gable of the Old Abbey will form a focal point of the new public square and details of its restoration are provided on Drawing No. LOUX3001-P-000-113-A. A new freestanding Corten steel sign (Drawing No. LOUX3001-P-000-131-A) is also proposed to be erected at the western entrance to Old Abbey Lane with the aim of enhancing legibility. It is noted within a public submission on file that the existing stone boundary wall along Father Connolly Way has some historical significance and concerns are raised regarding the extent of demolition proposed. It is suggested that a gateway would be a more appropriate intervention at this location. In response, the LA have indicated that the demolition seeks to create a new direct physical and visual link to/from West Street/Father Connolly Way/Old Abbey Lane to provide enhanced connectivity between these areas. In addition, it is stated that the demolition will help to create a stronger context connecting the Abbey structure to its surrounding streets and laneways and alleviate concerns regarding the creation of anti-social town centre spaces. I am conscious of Policy Objective BHC 32 which indicates that the removal of features and street furniture which contribute to the character of ACAs shall only be considered in exceptional circumstances. Whilst I acknowledge that the proposals will result in the loss of some existing heritage fabric, I note that the wall does not appear to form part of the original curtilage of the existing Protected Structure (RPS Ref. No. DB-187). Having inspected the site and having regard to the verified photomontages for the development (Appendix 18.2 of the EIAR), I would agree with the LA that its demolition will enhance permeability through Westgate area and also create a new visual link to Old Abbey Lane and its heritage assets. Overall, I am satisfied that the proposed works

are in accordance with the policy objectives of the current Plan, will enhance the features of special interest within the ACA and I consider the extent of demolition works proposed are therefore acceptable and proportionate in this instance.

#### Riverfront

- 8.3.18. The Riverfront character area comprises lands located along the northern bank of the River Boyne including the underpass of the Bridge of Peace and part of Father Connolly Way. It is proposed to revitalise the northern embankment of the River Boyne, with a focus on delivering improved connectivity and permeability in the area as well as within the wider town centre. A feature of the area is the erection of a freestanding Corten steel pavilion over a new hard landscaped promenade. This is to be located at the eastern end of the riverbank and aims to create a new covered and flexible outdoor space that can host social and cultural events. The structure has a height of c. 7.4m, a depth of between c. 5.15m (eastern end) and c. 7.25m (western end) and a total length of c. 36m (Drawing No. LOUX3001-P-000-114-A). It is also proposed to provide a new pedestrian boardwalk along the riverfront with new seating areas and extensive soft landscaping. Whilst some concerns have been raised within public submissions regarding the appropriateness, scale and design of the proposed pavilion structure, it is noted within the report from the Department that the contemporary design and positioning of the riverfront structure will enhance the existing river edge amenity. Notwithstanding their concerns regarding the materials proposed for the Old Abbey, they go on to note that the use of Corten steel in this instance references the shipping prowess of the town and is deemed to be an acceptable use of the material at this location. It was evident from my observations that Corten Steel (or similar) has been used elsewhere in the town (street lighting) and I would support a consistent approach to palette of materials and finishes which is proposed throughout the Westgate area.
- 8.3.19. As part of the works, it is proposed to enlarge the natural soft landscaped areas with existing trees being retained and new trees planted to enhance the area's biodiversity value. New high quality hard landscaping improvements will comprise a new shared surface treatment along Father Connolly Way and a Corten steel ground insert delineating the location of the former town wall. From my observations on site, the

existing vegetation along the riverbank currently restricts access to the River Boyne itself and its removal is a welcome addition. A new pedestrian footpath will run along the full length of the riverfront and a new landscaped buffer will be provided between the carriageway and cycle track along Father Connoly Way and the new footpath.

8.3.20. The proposals include the provision of a new segregated two-way cycle path which will integrate with existing cycle infrastructure along St. Dominick's Bridge. It is also the intention for this cycle infrastructure to tie into the future phases of a wider cycle network along the River Boyne. I note the site area includes the underpass of the Bridge of Peace and then extends along a strip of land to the south of a recently constructed apartment development at Mill Lane. Permission was originally granted under Ref. 18/1056 for the 10 no. storey development (amended to 11 no. storeys under Ref. 20/763) and at further information stage, the Applicant was requested to explore the possibility of extending the boundary of the site so a pedestrian connection could be provided to Father Connoly Way via the underpass. Consent was given to the Applicant by the LA and permission was ultimately granted which included the extended red line boundary. It was also noted in the Planning Authority's assessment that landscaping to the front of the Mill Lane development (i.e. along the riverfront) would allow for the further onward connection to the west. From my observations on site, these works have now been completed and a gated pedestrian access is currently provided from the Mill Lane development to Father Connolly Way. This would appear to preclude public access to the LA owned strip of land to the front of the newly constructed apartment development. It is of relevance to note that permission was granted by the Board in April 2024 (ABP-315460-23) for the construction of a section of the Boyne Greenway along the northern bank of the River Boyne (c. 1.6km in total). This section of the greenway culminates c. 160m to the west of the site, where the existing footpath meets Horse Lane. I note that the site is separated from the permitted greenway by a complex of historical buildings known collectively as Donaghy's Mill. It is therefore unclear at this point whether it is the LA's intention to extend the greenway further to the east to a point where it meets the boundary of the Westgate area. Whilst I acknowledge the forementioned works have been undertaken within this portion of the site, the gated access currently restricts the potential for a future connection to the west to be achieved. In addition, the quality of the hard landscaping that has been

implemented is substandard in my view and the development as proposed would represent a significant improvement in the long term. As it is understood that these lands are within the control of the LA, I see no objection to the Board granting permission for the development as proposed.

#### Adjoining Streets/Lanes

8.3.21. This character area comprises Fair Street, Scholes Lane, Narrow West Street, St. Patrickswell Lane and Dominick Street and it partially lies within all 3 no. ACAs. There are also a number of Protected Structures that have a direct abuttal with the area. The LA's Design Statement indicates that the works have been designed to align, and be consistent, with the proposed design language and treatment throughout the wider Westgate area. The proposals include the provision of a wayfinding concept which incorporates a Corten steel ground insert which will be flush with the street surface which will create a trail to guide people through the area and towards the new public realm, bespoke architecture and landscaping interventions. The details of which are provided on Drawing No. LOUX3001-P-000-133-A. New public realm improvements will include rationalised parking and footpath areas, new high quality hard landscaping, tree planting and soft landscaping, moveable street planters with benches and new ambient lighting such as festoon lighting. A design feature of note within the character area is the creation of a new plaza to the south of the Abbey Shopping Centre. This requires amendments to the access arrangements for the existing public car park and will incorporate a combination of new soft and hard landscaping treatments and seating. As detailed in Chapter 17 (Architectural Heritage) of the EIAR, there are no works proposed to any Protected Structures within the area, and I would agree that the works will provide for a significant enhancement of the site overall and will improve the setting and context for these buildings of architectural interest. The proposed development is therefore acceptable in my view and is accordance with the pertinent policies of the current Plan (2021-2027).

## Conclusion

8.3.22. In summary, I am satisfied that that the development has been the subject of an iterative design process which has sought to preserve and enhance the area's rich architectural heritage. This is demonstrated in further detail in Chapter 4 of the EIAR
which discusses the various alternatives considered by the design team. In addition, the development will improve permeability, provide a more pedestrian friendly environment and will transform many areas of the site through the creation of new urban plazas, high quality landscaping and the establishment of a connection between the Westgate area and the River Boyne. This in my view can act as a catalyst for the wider regeneration of the Westgate area. Subject to compliance with appropriate conditions and the various mitigation measures discussed later in this report, I am satisfied that the proposed development is responsive and sympathetic to the architectural character of the site and surrounding area, is consistent with the policy provisions of the current Plan (2021-2027) that relate to Protected Structures and ACAs and is in accordance with the proper planning and sustainable development of the area.

#### 8.4. Transport, Access & Parking

- 8.4.1. The application is supported by an Access & Active Travel Management Strategy which has identified a number of principles, aims and objectives that seek to improve connectivity and access to/from and within the Westgate are. These are to:
  - Introduce clear, direct pedestrian and cycle routes in and around the town,
  - Improve the pedestrian and cyclist experience by reducing barriers to pedestrian and cycle flows through the Westgate, and,
  - Encourage pedestrian and cycle activity through the town via new and improved pedestrian and cycle links.

A key feature of the development is the proposed reprioritisation of George's Street/George's Square. It is confirmed that this has been undertaken in consultation with the NTA / LCC and the active travel proposals for the wider area which will include upgrading of junctions to better facilitate pedestrian / cyclist / transport movement along this route and to slow the existing traffic speeds along the R132 in order to shift current transport modes along this route from car to more sustainable cycle alternatives. The existing R132 Georges Street / R132 Trinity Street / R900 West Street junction will receive upgrades with a reduction in the number of carriageway lanes and widths to facilitate the provision of an on-road cycle lane and an enlarged urban plaza on George's Square.

- 8.4.2. The proposals seek to enhance the public realm in and around Old Abbey Lane and along Father Connolly Way, Dominick Street, St. Patrickswell Lane, Scholes Lane and adjoining street and the proposed interventions include:
  - The provision of shared surface area along Father Connelly Way / Dominick Street with some minor modifications to the junction layout,
  - The removal of car parking / bus lay-over along the southern side of Father Connelly Way. This allows the provision of a 2.0m wide cycle lane, footpath and enhance hard and soft landscape along the River Boyne and seeks to encourage more sustainable modes of travel to/from the area and connectivity to the wider active travel initiatives,
  - Narrowing of Dominick Street and the removal of car parking spaces to enhance user safety,
  - Shared surface treatment on St. Patrickswell Lane and its restriction to 'local access only',
  - Relocation of the vehicular access into Dominic Street car park from St. Patrickswell Lane to Dominick Street, and,
  - Provision of hard and soft landscaping measures throughout the area to enhance the public realm.

It is noted that the proposed scheme will maintain and cater for the current level of traffic movements as the existing traffic flows (existing one-way and two-way carriageways) are being maintained throughout the Westgate area. However, more space is now being allocated to the pedestrian through the reduction in width of the carriageways, so to better channelise vehicle movements and to create a safer environment for pedestrians, cyclists and vulnerable road users.

8.4.3. I note that concerns had been raised within a number of public submissions regarding the loss of on-street parking to facilitate the public realm upgrades. A suggestion was made that the current overflow car park directly west of Abbey Square could be provided as a public car park to help offset this loss. A total of 9 no. on-street car parking spaces will be removed from the George's Square and Fair Street area. An additional 10 no. parking spaces and space for approximately 2 no. buses in a parking / lay-over area is to be removed from the southern side of Father Connolly Way. A further 22 no. on-street parking spaces along Dominic Street and St. Patrickswell Lane will be removed. Therefore, a total of 41 no. car parking spaces and a bus lay-over area are proposed to be removed from the Westgate area to facilitate the proposed development. It is highlighted within the Access & Active Travel Management Strategy that existing car parking facilities in close proximity to the application site are to remain, such as the car parking areas at Bolton Street, Fair Street, Dominic Street and Father Connolly Way, and the multistorey Haymarket Car Park which is also located c. 200m to the south-east of the area. As detailed in Chapter 14 (Material Assets (Traffic & Transportation)) of the submitted EIAR, a parking survey of the main car parking areas within the study area was undertaken in order to establish the parking demand within the general area. In addition, an on-street parking beat survey was undertaken within the study area for a 12-hour period (07.00-19.00). On a neutral weekday, the average occupancy rate for on street car parking ranged from 46% to 75%. For the 2 no. car parks (Dominic Street Car Park & the OPW Car Parking Area), the average occupancy rate ranged from 45% to 61%. Whilst I acknowledge that there are no new uses or buildings proposed as part of this development which would generate a car parking requirement, the intention of the scheme is to revitalise the area and encourage greater levels of footfall. However, I note that the development encourages more sustainable forms of travel and the development has incorporated cycle infrastructure throughout the scheme, including 36 no. new bicycle parking facilities (capable of accommodating c. 72 no. parked bicycles) at accessible locations. Overall, I am satisfied that the reduction in car parking throughout the Westgate area is acceptable in this instance and the proposed development will support a shift to more sustainable modes of transport. I also note that the mitigation measures set out in the EIAR (Chapter 14) include a requirement for the LA to develop and implement an Active Travel Strategy for the Westgate area which will help support this modal shift.

8.4.4. The removal of existing bus parking within the project area was highlighted as an issue of concern within a number of public submissions, where they note that appropriate levels of available coach parking is essential to assist in the growth of tourism in the town. Although I note that coach parking will be removed to facilitate public realm improvements along Father Connolly Way, an existing coach parking/set down area along Dominic Street will be retained and I would agree that this will enable touring/tourism coaches to pull in and for passengers to disembark in close proximity to the Town Centre. The excessive allocation of coach parking within the project area

would be an undesirable outcome in my view. The LA have also noted that they will continue to monitor tourism coach parking services within the wider Drogheda Town Centre context and appropriate measures will be implemented, if required. I note that there has also been a number of calls for the provision of a bus shelter at the reconfigured bus stop on George's Square. As part of their response, the LA have indicated that whilst a bus shelter at this location is not currently proposed, it has been designed in a manner to enable a bus shelter to be provided on the eastern side of George's Street adjacent George's Square. They have indicated that there will be further engagement with the NTA and local bus operators following the implementation of Westgate 2040 to determine the need for a bus shelter at this location and secure relevant funding, if required.

8.4.5. I note that a Stage 1 RSA was undertaken for the proposed layout to assess user safety and to highlight potential issues requiring further consideration. As noted earlier in this report, a number of concerns have been raised within the public submissions that various issues raised within the RSA have not been addressed in the submitted plans and particulars. However, the LA have confirmed that the RSA was undertaken by two independent approved auditors and all potential issues and recommendations shall be addressed by the designer and subsequently carried forward within the finalised design layout and during the construction design stage. It is confirmed that the Westgate 2040 proposals will be subject to further RSA stages post planning to ensure that the implementation of the scheme is in full accordance with all relevant road safety standards and requirements. I therefore recommend that a suitable condition be attached which requires the completion of a Stage 2 RSA, prior to the commencement of development.

# 8.5. Conclusion

8.5.1. Overall, I am satisfied that it has been demonstrated that the proposed regeneration works within the Westgate area will highlight, completement and in many cases celebrate the area's rich architectural and archaeological heritage. The development will enhance and open up the riverfront to the public through the creation of shared spaces, will integrate and improve public access to features of archaeological and architectural interest and will improve access and permeability throughout the entire project area. In my view, the proposed works can act as a catalyst for the rejuvenation

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of the wider project area and represent an acceptable contribution towards placemaking that will generate a largely positive impact on the amenities of the area. Subject to the conditions discussed in the foregoing, it is considered that the proposed public realm works are acceptable and are therefore, in accordance with the proper planning and sustainable development of the area.

# 9.0 The likely significant effects on the Environment (Environmental Impact Assessment)

## 9.1. Introduction & Statutory Provisions

- 9.1.1. The proposed development is located on a site measuring c. 1.89ha. and will comprise public realm regeneration/improvement works on lands within the Westgate Vision Area of Drogheda.
- 9.1.2. The proposed project does not fall within a development category contained in Part 1 of Schedule 5 and therefore a mandatory EIA is not a requirement under this provision. Part 2 of Schedule 5 of the Planning & Development Regulations 2001 (as amended) sets mandatory thresholds for each project category in which EIA is required. Category 10 of Part 2 relates to 'infrastructure projects', with sub-category 10(b)(iv) making specific reference to urban development:
  - 'Category 10 Infrastructure Projects:

(b) (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'.

Although the proposed regeneration works do not trigger any of the thresholds identified in Schedule 5 Part 2 of the Planning and Development Regulations 2001 (the 2001 Regulations) (as amended), it is indicated in the EIAR that the development represents 'sub-threshold' development with respect to 'Category 10 - Infrastructure Projects: (b)(iv) Urban development'. In carrying out this assessment, I have had regard to the EIAR (and associated appendices) submitted with the application, and all the supporting documentation on file.

9.1.3. This section of the report comprises the environmental impact assessment (EIA) of the proposed development in accordance with the Planning and Development Act

2000 (as amended) and the associated Regulations, which incorporate the European directives on environmental impact assessment (Directive 2011/92/EU as amended by 2014/52/EU). Section 171A of the Planning and Development Act, 2000 (as amended) defines EIA as:

- a. consisting of the preparation of an Environmental Impact Assessment Report (EIAR) by the applicant, the carrying out of consultations, the examination of the EIAR and relevant supplementary information by the Board, the reasoned conclusions of the Board and the integration of the reasoned conclusion into the decision of the Board, and
- b. including an examination, analysis, and evaluation, by the Board, that identifies, describes and assesses the likely direct and indirect significant effects of the proposed development on defined environmental parameters and the interaction between these factors, and which includes significant effects arising from the vulnerability of the project to risks of major accidents and/or disasters.
- 9.1.4. Article 94 of the Planning and Development Regulations, 2001 and associated Schedule 6 set out requirements on the contents of an EIAR.
- 9.1.5. This EIA section of the report is therefore divided into two sections. The first section assesses compliance with the requirements of Article 94 and Schedule 6 of the Regulations. The second section provides an examination, analysis and evaluation of the development and an assessment of the likely direct and indirect significant effects of it on the following defined environmental parameters, having regard to the EIAR and relevant supplementary information:
  - population and human health,
  - biodiversity,
  - land, soil, water, air, and climate,
  - material assets, cultural heritage, and the landscape,
  - the interaction between the above factors, and
  - the vulnerability of the proposed development to risks of major accidents and/or disasters.
- 9.1.6. It also provides a reasoned conclusion and allows for integration of the reasoned

conclusions into the Board's decision, should they agree with the recommendation made.

- 9.2. Compliance with the Requirements of Article 94 and Schedule 6 of the Regulations, 2001
- 9.2.1. Compliance with the requirements of Article 94 and Schedule 6 of the Regulations is set out below.

Tabl	е 8	.2.1	

Section 94 (a) Information to be c	ontained in an EIAR (Schedule 6, paragraph 1)
A description of the proposed development comprising information on the site, design, size, and other relevant features of the proposed development (including the additional information referred to under section 94(b). A description of the likely significant effects on the environment of the proposed development (including the additional information referred to under section 94(b)).	The proposed development is comprehensively described in Chapter 5 of the EIAR and depicted in the associated drawings. A detailed description is also provided in the supporting documentation, including the submitted Design and Planning Statements. A detailed description of the site and surrounding area is provided within Chapter 3 (Application Site and Context) of the EIAR. Details of the planning history of the site and the surrounding area is also included within this chapter. An assessment of the likely significant direct, indirect, and cumulative effects of the development is carried out for each of the environmental parameters set out in the Regulations. I am satisfied that the assessment of significant effects is comprehensive, robust and enables decision making.
A description of the features, if any, of the proposed development and the measures, if any, envisaged to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment of the development (including the additional information referred to under section 94(b).	These are included in each of the technical chapters of the EIAR and the associated appendices. The various mitigation and monitoring measures are also collated and summarised in Chapter 21 (Mitigation and Monitoring Measures) of the EIAR.
A description of the reasonable alternatives studied by the person or persons who prepared the EIAR, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the proposed development on the environment (including the additional information referred to under section 94(b)).	Chapter 4 of the EIAR considers alternatives in respect of do nothing alternative, alternative locations, alternative designs/layouts, alternative processes and alternative mitigation measures. I consider that the description of alternatives is reasonable and satisfactory in the context of the proposed development. Further analysis is provided in my assessment of Chapter 4 below.
Section 94(b) Additional inform development and to the environm 2).	nation, relevant to the specific characteristics of the nental features likely to be affected (Schedule 6, Paragraph
A description of the baseline environment and likely evolution in the absence of the development.	A detailed description of the baseline environment is included in each of the technical chapters of the EIAR and I am satisfied that it is sufficient to enable the assessment of likely effects and

	to enable decision making.
A description of the forecasting methods or evidence used to identify and assess the significant effects on the environment, including details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information, and the main uncertainties involved	Forecasting methods and/or evidence to identify and assess significant effects are included in the EIAR, as required for the relevant environmental topics. Technical difficulties are identified where necessary, and I am satisfied that there are no significant deficiencies that prevent decision making.
A description of the expected significant adverse effects on the environment of the proposed development deriving from its vulnerability to risks of major accidents and/or disasters which are relevant to it.	As detailed in Chapter 2 (The EIA Process), an assessment of impacts specifically in relation to Major Accidents & Disasters has been scoped out of this EIAR. The risk/effects of any potential accidents and/or natural events are addressed in the relevant specialist chapters of this EIAR, for example the potential for flood risk is addressed in 'Chapter 10 - Hydrology and Hydrogeology' (and the accompanying Site Specific Flood Risk Assessment prepared by Nicholas O'Dwyer Ltd). This approach is deemed to be acceptable given the nature and location of the proposed development.
A summary of the information in non-technical language.	A non-technical summary of the EIAR is provided by the applicant and satisfactorily describes the likely environmental effects of the development.
Sources used for the description and the assessments used in the report	Sources used for the description and assessment of environmental effects are included in each technical chapter of the EIAR.
A list of the experts who contributed to the preparation of the report	Table 2.3 (Contributors to the EIAR) list the persons who have prepared/contributed to the individual chapters of the EIAR and the expertise of those involved in the preparation of the EIAR. Further details of the competence and qualifications of each individual contributor is provided in each relevant chapter of the EIAR. Overall, I am satisfied that the EIAR has been prepared by competent experts to ensure its completeness and quality.
Consultations	Chapter 6 (Consultation) describes the consultation process in respect of the proposed project. It is outlined that extensive non-statutory community consultation has been undertaken
	I am satisfied, that appropriate consultations have been carried out and that third parties have had the opportunity to comment on the proposed development and engage with the application process in advance of decision making.

## 9.3. Compliance

9.3.1. Having regard to the foregoing, I am satisfied that the information contained in the EIAR is sufficient to comply with Article 94 of the Planning and Development Regulations, 2001.

## 9.4. Assessment of Likely Significant Effects

9.4.1. In accordance with section 171A of the Act, this assessment includes an examination, analysis and evaluation of the application documents, including the EIAR, the associated drawings, documents/appendices and the submissions received and

identifies, describes and assesses the likely direct and indirect significant effects (including cumulative effects) of the development on the environmental parameters set out in the Regulations and the interaction of these. Each topic section is therefore structured under the following headings:

- Issues raised.
- Examination, analysis and evaluation.
- Assessment/Conclusion.

#### 9.5. Alternatives

## 9.5.1. Legislative Context

- 9.5.1.1. Under the provisions of Article 5(1)(d) of the 2014 Directive it is a requirement that an EIAR contain: "(d) a description of the reasonable alternatives studied by the developer, which are relevant to the project and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the project on the environment". I note that alternatives are considered under Chapter 4 of the EIAR under the following headings:
  - 'Do-Nothing' Alternative,
  - Alternative Locations,
  - Alternative Design/Layout,
  - Alternative Processes, and,
  - Alternative Mitigation Measures.

## 9.5.2. Do Nothing

- 9.5.2.1. This Section of the EIAR considers the likely scenario that would arise, assuming the proposed development was not progressed, i.e. if nothing were done. Two scenarios are provided as follows:
  - Scenario A: a continuation of the existing conditions and use of the subject lands (i.e. underutilised public realm and riverfront areas, vacancy/dereliction, car dominated environment, underutilised built and natural heritage); or,
  - Scenario B: development of an alternative proposal (likely to be similar in nature to the current proposal) and related planning application in the future.
- 9.5.2.2. In the case of Scenario A (No development), it is contended that this could result in a

missed opportunity and a significant loss of potential funding for the regeneration of the Westgate area and to upgrade the public realm areas, provide enhanced community infrastructure, protect and celebrate important rich heritage, to reprioritise the roads/streets/lanes/footpaths in this area and to encourage more sustainable modes of transport, such as active travel. As a result, the 'do-nothing' scenario was not considered to represent a viable option and was discounted.

#### 9.5.3. Alternative Locations

- 9.5.3.1. It is highlighted that the application site comprises key character areas within the Westgate area which have been chosen for redevelopment/regeneration due to their strategic location within the area and their potential to link/complement a number of existing projects in differing stages of development in the town. It is stated that there are no alternative locations for the proposed project noting that:
  - this area of Drogheda has been identified as a location in urgent need of regeneration for a considerable time,
  - the LCDP 2021-2027 contains policy objectives to target regeneration of this specific area, and that,
  - the proposed project will deliver public realm improvements and interventions that have been designed to respond to the constraints and opportunities within this specific area.

#### 9.5.4. Alternative Design Approach (Layout and Design)

- 9.5.4.1. The Chapter notes that an extensive master planning process was undertaken to establish the optimal redevelopment principles and proposals for the application site, which included an extensive review of the site and the wider area by an integrated multidisciplinary design team. In addition, it is stated that the LA undertook extensive engagement and consultation to help inform the vision and design process for the proposed project. Stakeholders and members of the community were engaged to understand their needs and wants in relation to the Westgate area and to gain feedback on design principles, as part of a co-design process.
- 9.5.4.2. An overarching design vision was conceived for the project and 3 no. concept development design options were then prepared for each character area and

presented by the Design Team to the LA for consideration. These design options are discussed below.

able elerni Beelgir optionio		
George's Square/West Street	Option 1 (Creative Space)	Create a strong relationship
Character Area		between inside and outside and
		integrate new public space with
		Barlow House.
	Option 2 (Urban Plaza)	Create an iconic public plaza at
		the gateway of Drogheda's medieval core.
	Option 3 (Interpretation Trail)	Create the starting point for a
		new visitor experience of
		Drogheda's medieval trail.

Table 9.5.1: Design Options

9.5.4.3. In the case of the George's Square/West Street Character Area, it is indicated that a blended mix of concept design options 1 and 3 were selected as the preferred option to create an enhanced public realm and amenity area with a new high-quality gateway/arrival space. Noting this, the 'Urban Plaza' option represents the alternative concept design option considered for this area. However, it was discounted due to delivery difficulties including the constraints associated with George's Square, such as the difficult topography levels and proximity of George's Street/R132, and the need for additional lands to deliver this option as well as the potential impacts on adjoining lands/buildings outside of the ownership and control of the LA.

Table	9.5.2:	Design	Options
IUNIC	J.J.Z.	Design	Options

Medieval Wall Character Area	Option 1 (Medieval Garden)	Create an urban garden with planting evoking the medieval gardens that were once in this location.
	Option 2 (Amphitheatre)	Celebrate the medieval town wall by the creation of an amphitheatre space.
	Option 3 (Interpretation Trail)	Delineate the old town wall creating an outdoor / indoor experience, leading the visitors to the longest remaining section of the medieval wall.

9.5.4.4. In the case of the Medieval Wall Character Area, design option 1 was selected as the preferred development option in order to create a universally accessible raised walkway within a medieval urban garden setting. It was considered to provide a more favourable outcome and a more balanced approach between celebrating and revealing the medieval wall and bringing people closer to an important surviving

artefact of Drogheda's past while also enabling permeability in this area and enhanced connectivity to the riverfront.

9.5.4.5. Two alternative concept design options were considered for this area, being the 'Amphitheatre' and 'Interpretation Trail' options. The former sought to celebrate the medieval town wall by creating an amphitheatre space within the embankment area between the medieval town wall and the embankment of the R132/George's Street/Bridge of Peace. The latter sought to delineate the medieval town wall by creating an outdoor/indoor experience which would lead visitors to the medieval wall. Both options were discounted due to delivery difficulties including the constraints associated with this character area, such as the difficult topography levels and proximity of George's Street/R132, and due to potentially excessive engineering costs and impacts on the existing George's Street/R132 embankment and retaining wall.

5 1		
Riverfront Character Area	Option 1 (River Boyne meets the Town Centre)	Re-establishing the natural Riverside
		Biodiversity
		Strategic Branding Potential
	Option 2 (Urban Nature Meets the Town Centre)	Existing retaining wall remains
		Urban nature meets Urban Character
		Strategic Branding Potential
	Option 3 (Urban Nature)	Existing retaining wall remains
		Urban Nature
		Strategic Branding Potential

Table 9.5.3: Design Options

9.5.4.6. In the case of the Riverfront Character Area, design option 1 was selected as the preferred development option in order to reconnect the town with the riverfront and provide enhanced amenity, functionality and biodiversity in this area. This was considered to provide a more balanced approach between enhancing connectivity between the town and the riverfront, revitalising the riverfront in a manner which will enable permeability and active travel modes of transport and re-establishing the natural 'look and feel' of the riverfront. Furthermore, it was considered to achieve a more favourable outcome in terms of enhanced amenity, biodiversity and functionality

along the riverfront.

9.5.4.7. Two alternative concept design options were considered for this area, being the 'Urban Nature meets the Town Centre' and 'Urban Nature' options. The former sought to retain the existing retaining wall, enhance the relationship between urban nature and the urban character of the area and enhance the potential of the riverfront to provide a unique and strategic branding opportunity. The latter sought to retain the existing retaining wall, enhance the amount of natural and soft landscaped areas and enhance the potential of the riverfront to provide a unique and strategic branding opportunity. Both options were discounted due to potential impacts on the River Boyne embankment and ecological sensitivity as well as potentially excessive engineering costs associated with the raised and cantilevered boardwalk.

The Chara	Old acter Ar	Abbey ea	Lane	Option 1 (Community Space)	Local Destination
					Community focused
					Flexible usage
				Option 2 (View Point)	Destination
					A Touristic Attraction
					Strategic Branding Potential
				Option 3 (Restoration)	Local Destination
					Community focused

- 9.5.4.8. In the case of the Old Abbey Lane Character Area, design option 1 was selected as the preferred development option as it would cater for the arts and cultural community by delivering a flexible and sheltered outdoor events space, which would complement the rich built heritage in this area and provide a further attraction for the area.
- 9.5.4.9. Two alternative concept design options were considered for this area, being the 'View Point' and 'Restoration' options. The former explored the opportunity to erect a viewing point/platform within the confines of the old Abbey ruins so as to enhance the destination and tourism credentials of the area and provide a unique branding opportunity. The latter explored the potential of a 'do-minimum' approach which was focused mainly on restoration of the existing built heritage within the area and subtle

public realm interventions to improve the 'look and feel' and functionality of the area. Both options were discounted as it was considered that the preferred option, i.e. a 'Covered Community Space' would provide a superior level of amenity and functionality for Old Abbey Lane for all who visit/use the area when compared with the alternative options.

#### 9.5.5. Alternative Processes

9.5.5.1. It is indicated that alternative processes were not considered to be relevant for the proposed project or this EIAR having regard to the detailed Master planning and engagement stages/processes that were undertaken and noting the nature, location and design specifics of the proposed project.

#### 9.5.6. Alternative Mitigation Measures

9.5.6.1. Section 4.66 notes that the mitigation measures outlined in the various chapters of the EIAR, and summarised in Chapter 21 of this EIAR, are considered appropriate to the location, nature and extent of the project and its potential impacts. As such, no alterative mitigation measures were required to be considered

#### 9.5.7. Conclusion

9.5.7.1. It is considered that the matter of examination of alternatives has been satisfactorily addressed in the EIAR and the level of detail is reasonable and commensurate with the project. The process of site selection within the landholding and the possible alternatives followed a comprehensive and transparent process. It indicates how the proposed development evolved and how it was adjusted to take into consideration the potential benefits of the proposed development, in addition to a range of environmental effects. Overall, I am satisfied that the process is robust and that the requirements of the Directive are fully complied with.

## 9.6. Description of the Project

9.6.1. The proposed development is comprehensively described in Chapter 5 of the EIAR and depicted in the associated drawings. In terms of the project brief, it is stated that the Westgate 2040 Project brings forward a vision for urban regeneration and development of the town and a number of key themes were established. The Chapter provides a detailed description of each Character Area within the subject site. Additional information is provided with respect to:

- Construction Phase and Construction Works,
- Construction Management,
- Construction Operating Hours, and,
- Temporary Facilities.
- 9.6.2. A description of the development is also provided in the supporting documentation, including the submitted Design and Planning Statements. A detailed description of the site and surrounding area is provided within Chapter 3 (Application Site and Context) of the EIAR. Overall, I am satisfied that the description of the development is comprehensive and allows for a full consideration of the development proposal.

## 9.7. Consultation

- 9.7.1. It is outlined in Chapter 6 (Consultation) of the EIAR that extensive non-statutory community consultation was undertaken. The LA undertook preliminary engagement and consultation for the preparation of a vision for the regeneration of the 'Westgate 2040' project area in May 2021. It is stated that Community and stakeholder engagement was carried out during the public health crisis and varying levels of restrictions applied at different stages of engagement, which may have influenced both the volume and type of responses received. A consultation survey was carried out online which received a total of 458 no. completed submissions from a diverse range of stakeholders with an interest in the Westgate area or connections within Drogheda in general. Upon consideration of the survey, a number of clear themes emerged and demonstrated strong community sentiment. It is stated that this sentiment was further evidenced in the additional stakeholder consultation meetings.
- 9.7.2. In terms of statutory consultation, the following was undertaken:
  - Placed a public notice in a local newspaper,
  - Placed a copy of the application and all accompanying documents on display in the offices of the LA, and on the LA's website, and,
  - Issued details of the planning application and a copy of the EIA Report to the

Department of Department of Housing, Local Government and Heritage's EIA Portal.

- 9.7.3. In addition, the following prescribed authorities were notified directly in respect of the planning application:
  - An Chomhairle Ealaíon,
  - An Taisce,
  - Fáilte Ireland,
  - Heritage Council,
  - Department of Housing, Local Government and Heritage,
  - Transport Infrastructure Ireland,
  - Uisce Éireann,
  - Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media,
  - National Transport Authority, and,
  - Inland Fisheries Ireland.
- 9.7.4. A submissions has been received from a statutory body and the submissions from the public are considered in this report, in advance of decision making. I am satisfied, therefore, that appropriate consultations have been carried out and that third parties have had the opportunity to comment on the proposed development and engage with the application process in advance of decision making. Having regard to the foregoing, I am satisfied that the information contained in the EIAR, and the supplementary information provided by the LA is sufficient to comply with Article 94 of the Planning and Development Regulations, 2001.

## 9.8. Population & Human Health

## 9.8.1. Issues Raised

9.8.1.1. Concerns are raised within a public submission with respect to the potential for overshadowing, loss of daylight and visual impacts associated with the proposed development. This related to the construction of new free-standing Corten steel canopy at the Old Abbey. In addition, concerns had been raised within a number of Public Submissions that that the proposed development may impede access to existing properties.

#### 9.8.2. Examination, analysis and evaluation

Context

- 9.8.2.1. Chapter 7 of the EIAR evaluates the likely direct and indirect significant effects of the proposed project (as defined in Chapter 5 of this EIAR) on population and human health during both the construction and operational phases. It is noted that there are numerous inter-related environmental factors addressed throughout the EIAR which are of relevance to 'Population and Human Health' including potential significant effects on townscape and visual impact, archaeology and cultural heritage, air quality and climate, noise and vibration, water, land and soils, material assets including site services and traffic and transport impacts.
- 9.8.2.2. In terms of methodology, Census 2022 data is primarily used to inform the baseline/receiving environment with respect to population and human health. Census 2016 data is also utilised where certain information is not available within the Census 2022 data.

## Baseline

- 9.8.2.3. The site of the proposed development is located in County Louth within the southern area of the electoral division of Fair Gate (ED 147014). The area selected for the assessment of the impact on human health is the general extent of Drogheda Town, which includes the following electoral divisions (EDs):
  - Fair Gate ED 147014,
  - West Gate ED 147034,
  - St. Lawrence Gate ED 147039,
  - St Mary's (Part of) ED 147043.
- 9.8.2.4. In terms of 'Economic and Employment Activity', a total of 55% of people in Drogheda (i.e. 19,291 of 35,128) above the age of 15 state that their principle economic status is 'At Work', which is slightly higher than the county proportion of 53%. Both Drogheda and Co. Louth have a slightly lower percentage of people stating to be 'At Work' when compared with the national average of 56%. County Louth also has a higher proportion (6.5%) of unemployed population when compared with the national average of 5.1%.

Further analysis is also provided with respect to employment figures within the town.

- 9.8.2.5. In the context of 'Settlement and Land Use Patterns', it is indicated that Drogheda is one of the oldest and most distinguished urban centres in Ireland with a history stretching back to its founding in 1194. West Street is an important element of the town's historic urban form and runs through the core of the town. This street forms a strong spine through the core of the historic town and provides a linear form to the townscape north of the River Boyne. Building heights in Drogheda are predominantly two to four storeys in the town centre, and one to two storeys in residential areas. Notwithstanding this, a recently constructed 11 no. storey residential development is located to the west of the application site. In terms of land uses patterns, the subject site principally comprises public realm areas and public road/footpath areas, but it is noted that parts of the site are zoned 'D1 Regeneration'. The site also adjoins lands that are zoned 'B1 Town Centre' and 'G1 Community Facilities'.
- 9.8.2.6. For 'population', the latest census data shows that the population of the study area increased by 2.5% between the years 2016 and 2022 compared with an increase of 8.1% nationally. The average rate of population growth across the County was an increase of 8.4%. In terms of 'demographic' trends, an overview of the following key factors has been provided to help inform the baseline/receiving environment. Analysis is provided in Table Nos. 7.8-7.15 of the EIAR and covers the following:
  - Age Profile,
  - Deprivation,
  - Education,
  - Income, and,
  - Commuting Patterns.
- 9.8.2.7. For 'human health', c. 77% of people living in the study area reported their health to be "Very Good" or "Good", accounting for 21,907 people within the area. It is indicated that these figures are slightly lower than the wider County, which reported c. 82% of the population as having 'Good' or 'Very Good' health in the 2022 Census. In the case of 'amenity', it is noted that Drogheda benefits from proximity to the River Boyne and associated historic landscape which has influenced how the modern town has

developed. To the south bank of the river, in close proximity to the application site, there are a number of green open spaces, including The Black Hill and St. Dominic's Park. A biodiverse rich woodland area also exists to the south of the river. In addition, Drogheda benefits from being an important commercial centre and has numerous retail, commercial and hospitality businesses located in the town centre, particularly along West Street and in the adjoining streets.

#### Potential Effects

9.8.2.8. Likely significant effects of the development, as identified in the EIAR, are summarised in Table 9.8.1 below.

Table Cleff. Califinary of	
Do Nothing	The do nothing may entail the continuation of the existing conditions and use of the subject lands (i.e. underutilised public realm and riverfront areas, vacancy/dereliction, car dominated environment, underutilised built and natural heritage).
	This could result in a missed opportunity and a significant loss of potential funding for the regeneration of the Westgate area and to upgrade the public realm areas, provide enhanced community infrastructure, protect and celebrate important rich heritage and to rationalise the roads/ streets/ lanes/ footpaths in this area to encourage more sustainable modes of transport, such as active travel.
Construction Phase	Impacts on Air Quality Dust and particulate matter (PM) generated during the construction phase may have the potential for an adverse effect on local air quality. The construction stage of the proposed project will include site clearance, site grading, ground excavation, construction of new structures and infrastructure, landscaping works, and etc. This has the potential to create air quality and climate impacts for local residents, construction workers and passers-by in the immediate vicinity of the application site, such as dust emissions/nuisance and construction vehicle/machinery derived pollutants.
	Noise Exposure and Vibration The range of activities with potential to generate noise and vibration emissions to off-site sensitive receptors will include site preparation works, construction of the proposed development, landscaping and erection of any temporary buildings/compounds that may be required. With consideration of the site location, the likely construction phase activities, the distances from these works to nearby dwellings and the proposed construction noise criteria, it is expected that potentially significant noise impacts will be encountered when works are occurring c. 15 metres or closer to neighbouring dwellings.
	receptors, and proposed general methods of construction, it is projected

#### Table 9.8.1: Summary of Potential Effects

	that vibration emissions to nearby receptors will not cause structural or
	cosmetic damage to any nearby buildings.
	Transmort
	The construction phase will result in additional construction traffic on the
	road network including construction workers travelling to/from the site and
	vehicles transporting materials and equipment to/from the site. This
	additional traffic has the potential to cause or intensify congestion which
	could affect journey characteristics, such as journey times, etc, for local
	residents, workers and road users.
	Townscape and Visual Amenity
	During construction, the site and immediate environs would be disturbed
	by construction related activities. It is stated that such effects should be
	of parts of the Westgate area and the fact they will be temporary localised
	and short-term; these are not therefore considered significant or adverse
	in context of the baseline setting and wider Drogheda townscape.
	Economic and Employment Activity
	The construction phase of the proposed project will provide job
	opportunities which will result in a positive, local to regional, moderate,
	short-term socioeconomic impact. It is anticipated that local businesses will
	continue to operate normally, nowever it is accepted that the proposed works will involve construction within the existing roads/streets/lanes which
	may cause some disruption to local businesses. Any negative impacts on
	local businesses and economic activity will be temporary, short term and
	moderate and will be carefully considered and managed for the duration of
	the construction works.
Operational Phase	Impacts on Air Quality
	The change in concentration and exposure air quality directly attributable to the proposed development are not of a level to quantify any change in
	baseline health. As concentrations at the site are well below the relevant
	AQSs (NO2 and PM10), a detailed air quality modelling assessment is not
	considered to be required. Ultimately, the operation of the proposed
	development is not anticipated to have a significant impact on local air
	quality, and the residual impacts will be of an acceptable level.
	Noise Exposure and Vibration
	The potential sources of noise are those associated with vehicular traffic
	on public roads, noise from recreational activity and car parking. The
	calculated increase in noise level on the majority of roads is less than 2dB
	which is negligible, and the associated impact is not significant.
	Transport
	The operational phase impacts could include additional traffic on the road
	network resulting in congestion and impacts on journey amenity, duration
	מות ובווקנון וטרטנוובר וטמע עשבוס.
	Townscape and Visual Amenity
	There are no distinctive or notable built features, facades or architecture

	that will be lost; any demolition would have neutral effects (i.e., no better or worse) on the character of the site. Given the nature of the project, it will provide enhanced connectivity and movement patterns across the Westgate area, delivery of high quality and enhanced public realm to promote general use and enjoyment of the public space. It is stated that this will allow for permeability across the site to be improved with the linkages between the River Boyne corridor and town centre being improved in both aesthetic and practical terms. While the broader project will not alter the inherent scale, built form or set townscape pattern of this part of the town to any significant degree in terms of the actual magnitude of change (rated primarily <i>medium</i> ), it is contended that the enhancement and improvement works will have substantial positive effect on its baseline townscape character, visual quality, condition and general sense of place.
	<i>Economic and Employment Activity</i> The proposals include public realm improvements and interventions which will make the area more attractive for existing residents, business and tourists/visitors in the area. Noting this, the project will have a positive effect in terms of attracting residents/employees/visitors/tourists to the area which will result in a positive economic effect in terms of increased footfall and spending which will help to further support local businesses, services, transport infrastructure, employment opportunities and further regeneration proposals. The human health effects with respect to economic and employment activity during the operation phase of the proposed project are considered to be positive with a long-term duration.
Cumulative Effect	Cumulative impacts have been considered and regard is given to the projects identified in 'Chapter 3 – Application site and Context' and 'Chapter 20 -Cumulative Impacts'. No significant cumulative impacts are anticipated with respect to population (human beings) and human health

# Mitigation

9.8.2.9. Mitigation measures are summarised in Table 9.8.2 below.

Table 9.8.2: Summary	of Mitigation
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Construction Phase	A preliminary Construction and Environmental Management Plan (pCEMP) has been prepared to accompany the planning application and to help protect the amenities of the area. The contractor will further develop the pCEMP and submit it for further approval, if necessary, and implement the requirements during the construction phase. It is stated that the content of the pCEMP is also based on the mitigation measures set out in this EIAR.
Operational Phase	It is stated that a range of operation related mitigation measures are proposed throughout the EIAR in relation to each environmental factor assessed in order to avoid, where possible, and in other cases minimise/reduce, potential and predicted impacts associated with the proposed project.

## Residual Effects

9.8.2.10. It is stated that no significant human health effects are predicted as a result of the

construction or operation phases of the proposed development. This has been concluded on the basis that any change in health determinant would not be sufficient to quantify any change in baseline health outcomes within the surrounding community. It is stated that positive impacts on population and human health will include health and social/wellbeing benefits associated with the provision of a new public/open space in the town centre and the provision of a highly permeable layout which encourages walking and cycling.

#### Assessment / Conclusion

- 9.8.2.11. I have examined, analysed and evaluated Chapter 7 of the EIAR and all of the associated documentation and submissions on file in respect of population and human health. I have inspected the application site and the surrounding area. In addition, I have had regard to the policy outlined in the current Plan (2021-2027). It is noted that there are numerous inter-related environmental topics described in detail throughout the EIAR document which are of relevance to human health. During the construction and operational phases, noise, traffic, cultural heritage, archaeology and landscape and visual will be the key environmental factors that will have an impact on population and human health and each topic will be addressed in further detail in my assessment of the individual chapters of the EIAR.
- 9.8.2.12. As noted, concerns have been raised within a public submission regarding the potential impact of the proposed development in terms of overshadowing and loss of daylight on their existing dance studio. This is as a result of the proposed construction of new free-standing Corten steel canopy at the Old Abbey. In addition, concerns had been raised that that the proposed development may impede access to existing properties. I note that I have addressed these matters in detail in Section 8.3 of this report and I am satisfied that the proposed development is acceptable subject to compliance with appropriate conditions.
- 9.8.2.13. Having regard to the examination of environmental information in respect of Population and Human Health within the EIAR, the supplementary information provided by the LA and the submissions on file, I consider that the proposed development would have a positive impact on the local socio-economic environment. I am also satisfied that the potential for significant adverse impacts on human health during the construction and

operational phases can be avoided, managed, and mitigated by measures that form part of the proposed scheme, the mitigation measures and through suitable conditions. I am therefore satisfied that the proposed development would not have any unacceptable direct, indirect or cumulative impacts on population and human health.

9.9. Biodiversity

#### 9.9.1. Issues Raised

9.9.1.1. No issues are raised by parties to the application in respect of biodiversity.

# 9.9.2. Examination, analysis and evaluation Context

- 9.9.2.1. Chapter 8 of the EIAR provides an assessment of the impacts of the proposed development on habitats and species, particularly those protected by national and international legislation, or considered to be of conservation importance; and proposes measures for the mitigation of these impacts, where appropriate.
- 9.9.2.2. In terms of the methodology, a desk-based scoping study was carried out using data from the following sources:
  - Plans and specifications for the proposed development,
  - Bedrock, soil, subsoil, ground water and surface water maps from the Geological Survey of Ireland web mapping service (www.gsi.ie/mapping.htm), and the Environmental Protection Agency web viewer (<u>http://gis.epa.ie/EPAmaps/</u>),
  - Maps and details of designated sites from <u>www.npws.ie</u>, and,
  - Biological records from the National Biodiversity Data Centre online mapping service, and from the National Parks and Wildlife Service internal database.

The study area for the assessment consists of all land within the red line application boundary, with a buffer zone of up to 20m beyond the relevant areas. Field data was collected between April 2021 and July 2022. It is stated that preliminary ground-level roost assessments were carried out for all built structures (buildings and bridges) to assess their suitability for roosting bats. Two structures within the site were considered to have high suitability for roosting bats, being the Abbey and the Medieval Wall (and associated structures) and a total of six surveys were carried out for these structures on the following dates:

- The Abbey: 24 May (emergence), 21 June (re-entry), 5 July (emergence), and,
- Medieval Wall: 25 May (re-entry), 20 June (emergence), 6 July (re-entry).
- 9.9.2.3. A separate standalone NIS (RSK, October 2023) is submitted as part of the application documentation and is included within Appendix 8.1 of the EIAR. To avoid any repetition, the potential impact on the designated sites has been addressed in Section 10 of this report.

#### Baseline

- 9.9.2.4. It is stated that field data for the EIAR was collected between April 2021 and July 2022. Surveys included mapping of habitats and flora, searches for otter field signs, and inspections of the river bank. It is stated the bird surveys were not considered necessary because the site does not contain any habitats suitable for bird species associated with nearby SPAs. In addition, fish surveys were not considered necessary because the status of fish within the SAC is well established, and because the project will not involve any in-stream works. Within the NIS, it is noted that all desktop and field survey data was collected between April 2021 and October 2023.
- 9.9.2.5. The closest major waterbody to the site is the River Boyne, which adjoins the southern boundary. The river is estuarine at this point, mixed with the tidal waters of the Irish Sea and the estuary meets the coast c. 9 km downstream. The southern boundary of the site adjoins and partially overlaps with the River Boyne and River Blackwater SAC (Site code 002299). The accompanying NIS confirms that none of the qualifying interests of this SAC are located within the overlapping section of the application site and the SAC. Table 8.2 of the EIAR provides information on all Natura 2000 sites which are of relevance to the application site and include:
  - River Boyne and River Blackwater SAC (site code 2299),
  - Boyne Estuary SPA (site code 4080),
  - River Boyne and River Blackwater SPA (site code 4232), and the,
  - Boyne Coast and Estuary SAC (site code 1957)

Although not identified in Table 8.2, the North West Irish Sea cSPA is also located c. 7.4km to the east of the subject site. Table 8.3 also provides information on the Natural

Heritage Areas which are of relevance to the site and include the Boyne River Islands pNHA (site code 001862), Boyne Coast and Estuary pNHA (1957), King William's Glen pNHA (1804) and the Dowth Wetland pNHA (1861).

9.9.2.6. A summary of the habitats, flora and fauna recorded on site and within its surrounds can be summarised in Table 9.9.1 below. Table 8.4 of the EIAR provides a summary of the important ecological features within the site.

Tahle 9 9 1 ·	Habitats	Flora	and	Fauna	Records
1 able 3.3.1.	navitats,	FIUIA	anu	rauna	Recolus

Habitats & Flora	<i>Buildings and artificial surfaces (BL3):</i> The majority of the site consists of buildings, roads, car parks, and other paved surfaces. Some buildings / surfaces support butterfly bush <i>Buddleja davidii</i> or common ruderal plants, but none have substantial cover of native vegetation (negligible botanical importance)
	Dry meadows and grassy verges (GS2): A patch of unmanaged grassland was found on the embankment on the eastern side of the 'Bridge of Peace' (George's Street). It is dominated by false oat-grass Arrhenatherum elatius and cock's-foot Dactylis glomerata, with frequent common bent Agrostis capillaris, white clover Trifolium repens and ribwort plantain Plantago lanceolata. Dry meadow habitat is considered to be of Local importance.
	<i>Scrub (WS1) / Treeline (WL2):</i> This habitat occurs around the margins of Murdock's Yard in the west of the site and consists of a discontinuous line of trees connected by linear scrub habitat. This habitat consists mainly of non-native species and is not connected to any larger areas of woodland / scrub habitat, so it is of Negligible botanical importance. However, it may provide nesting habitat for birds.
	<i>Ornamental / non-native shrubs (WS3):</i> There is a line of non-native shrubs (of unknown species) between Father Connolly Way and the River Boyne. As they consist only of non-native plant species, they are of Negligible botanical importance. However, they may provide nesting habitat for birds.
	<i>River Boyne Estuary (MW4):</i> The River Boyne, part of the River Boyne and River Blackwater SAC, adjoins the southern boundary of the Site. It is c. 50 m wide, and several metres deep at high tide. The edges of the river are formed by rock gabions of c. 4 m height. It is designated an SAC at the closest point, and there are additional SPA and SAC designated upstream and downstream of the site. On this basis, the river is considered to be of International Importance.
	<i>Invasive non-native plant species:</i> No Japanese Knotweed Fallopia japonica or any other species listed on Schedule 3 of the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended) were recorded in the vicinity of the site.
Fauna	Birds A number of common urban birds were recorded during the surveys, including feral pigeon, jackdaw, rook, hooded crow, starling and pied wagtail. No species of conservation concern were recorded (as per Gilbert et al. 2021). Species such as pigeon and jackdaw were observed in the derelict buildings and abbey walls and are likely to nest there. It is stated that urban areas rarely support significant populations of endangered birds, so the site is of Negligible

#### Bats

Four bat species have been recorded in the surrounding 1km square: common pipistrelle, soprano pipistrelle, Daubenton's and Leisler's bats. Soprano pipistrelles, common pipistrelles and Leisler's bats typically favour areas with woodland, freshwater habitats and linear vegetation (e.g. treelines, hedgerows). Daubenton's bats are primarily associated with freshwater habitats, in this case the Boyne Estuary. However, it is stated that there is artificial lighting throughout the site, particularly along roads and in car parks. Bats typically avoid brightly-lit areas, and Daubenton's bats are particularly sensitive to light. On this basis, the level of background lighting in the site substantially reduces its suitability for foraging bats. The majority of the site and its immediate surroundings are considered to be of Negligible importance as a feeding area / commuting route for bats. The only feature of importance for bats would be the Boyne Estuary, particularly areas with little or no artificial light.

In terms of potential roost features, it is indicated that some of the derelict buildings within or adjacent to the site have features that could potentially be suitable for roosting bats. In particular, the following were noted:

- Abbey: The former gable wall of the abbey on Old Abbey Lane is constructed of stone and is approx. 30 – 40 m in height. It has many small crevices in the wall and tower, and thus has high suitability for roosting bats
- Medieval Wall: A 4 5 storey derelict building on the north-western side of Murdock's Yard is constructed of stone and masonry and has a slate roof. There are many small holes and crevices on the building that would be suitable for roosting bats, and there may also be roosting opportunities in the Medieval Wall to the south of the building.

On this basis, it is considered to have high suitability for roosting bats. A series of three bat surveys was carried out at each of the structures of high suitability for bats, comprising a total of six surveys. The surveys dates were as follows:

- The Abbey: 24 May (emergence), 21 June (re-entry), 5 July (emergence),
- Medieval Wall: 25 May (re-entry), 20 June (emergence), 6 July (reentry)

In terms of The Abbey and the Medieval Wall, no bats were recorded emerging from or entering the structure during any of the surveys. On this basis, it is concluded that the structures are not being used by roosting bats.

In summary, the key habitat of importance for foraging bats in the surrounding area is the Boyne Estuary. This area is assumed to be used as foraging habitat by a range of species, notably soprano pipistrelle, common pipistrelle, Leisler's bats and Daubenton's bats. The area is considered to be of Local importance in this regard.

#### Other Terrestrial Mammals

No mammals were observed during field surveys, nor any characteristic field signs of protected species (e.g. badger setts). The urban habitats within the site would be unsuitable for most terrestrial mammals due to the lack of vegetation, the high levels of human activity, and the prevalence of artificial lighting.

Otters are known to use the River Boyne and are a qualifying interest of the River Boyne and River Blackwater SAC. The existing vertical rock gabions along the adjacent bank of the estuary would prevent otters from leaving the

river at this location and it would be unsuitable as an otter holt due to tidal activity. In summary, the River Boyne is of International importance for otters, but the section adjacent to the site is only of Local importance.
<i>Fish</i> Atlantic salmon and river lamprey are qualifying interests of the River Boyne and River Blackwater SAC. Both species migrate between freshwater and marine habitats, so they are expected to pass through the River Boyne in the vicinity of the site. However, they spawn in freshwater habitats, so the estuary would be unsuitable for this purpose. Therefore, whilst the River Boyne is of international importance for both species, the section of the river adjacent to
the site is only of Local importance.

9.9.2.8. Potential significant effects of the development, as identified in the EIAR, are summarised in Table 9.9.2 below.

Do Nothing	The EIAR notes that if the proposed development does not take place, the habitats, flora and fauna of the site would remain in a similar condition to the baseline environment.
Construction Phase	<ul> <li>European Sites</li> <li>The construction of the proposed development will involve a range of activities, including the demolition / removal of existing built surfaces, groundworks, and the construction of new surfaces. These activities have potential to generate pollutants, including: <ul> <li>Concrete and cement, which are composed of highly alkaline, corrosive fine sediments that are very harmful for aquatic fauna,</li> <li>Suspended silt or other sediments, which can reduce water quality, harm aquatic fauna, and/or alter the flow of watercourses, and,</li> <li>Hydrocarbons (oil, petrol, diesel, etc), solvents and other chemicals, which can be toxic to aquatic fauna.</li> </ul> </li> <li>There is a risk of indirect impacts during construction works as all of the qualifying interests of these Natura 2000 sites could potentially be vulnerable to waterborne pollutants. In a worst-case scenario, there is a risk of significant effects on one or more of the Natura 2000 sites. Mitigation measures will be necessary to avoid or reduce the potential impacts of pollution incidents with further details of same provided in the NIS.</li> </ul>
	<ul> <li><i>River Boyne</i></li> <li>It is noted that the River Boyne supports a range of other ecological features that are not covered by the designations, e.g. estuarine / aquatic habitats, plants, birds, mammals, fish and invertebrates. Future development in the site may cause pollutants to enter the River Boyne, which may have a localised impact on these ecological features.</li> <li><i>Other habitats</i></li> <li>The dry meadow habitat on the bridge embankment (the eastern side of George's St) will be cleared and replaced with a raised walkway and</li> </ul>
	landscaped areas. When considered in isolation, this will have a negative impact on this habitat of Local importance. However, the proposals involve substantial landscape planting along the riverfront and near the Medieval

Table 9.9.2: Summary of Potential Effects

	Wall, including trees, shrubs and groundcover. Overall, this will result in a significant increase in the biodiversity value of the site and will result in a moderate positive effect. <i>Birds and small mammals</i> The scrub / treeline and ornamental non-native shrubs may provide habitat for nesting birds. If the trees / shrubs are cleared during the bird nesting season (between March and August, inclusive), it is possible that active bird nests could be destroved. The killing of any birds, or the disturbance
	of their breeding or/ resting places would constitute an offence under the <i>Wildlife Act</i> 1976 (as amended) and could have a significant negative impact.
Operational Phase	Foraging / commuting bats Artificial lighting will be required to provide safe access for cars and pedestrians, and along the riverside walkway. If any such lighting is directed towards the Boyne Estuary, it is possible that it could displace bats from the area. This would have a slight negative impact on local bat populations.
Cumulative Effect	<ul> <li>Cumulative impacts have been considered with current and future developments in the vicinity of the subject site. It is stated that the majority of applications were for changes-of-use in existing buildings, or small-scale works such as extensions to commercial premises. However, one development of moderate scale was noted, as follows: <ul> <li>181056. Permission granted in 2020 for the demolition of existing derelict structures and the construction of 41 no. apartments. The application was accompanied by a Natura Impact Statement and a Bird and Bat survey. A variation was granted in 2021 (Ref. 20763) to increase the height of the buildings and the number of residential units.</li> </ul> </li> <li>The development is located in close proximity to the River Boyne, and could potentially act in-combination to increase the magnitude of ecological impacts. It is noted that the NIS for the residential development includes construction-phase pollution-prevention measures, intended to avoid indirect impacts on water quality in the river.</li> <li>Once the recommended mitigation measures detailed in this chapter are adhered to, it is noted that the proposed development is not likely to result in any significant impacts when assessed in isolation in relation to identified important ecological features. As such, significant cumulative impacts can be ruled out.</li> </ul>

# Mitigation

9.9.2.9. Mitigation measures are summarised in Table 9.6.3 below.

## Table 9.6.3: Summary of Mitigation

Engagement of an	A number of sensitive habitats and species were recorded in the vicinity of
Ecological Clerk of	the proposed development site, and some of these mitigation measures
Works	require specialist skills during construction works. Therefore, the
	construction contractor will employ an Ecological Clerk of Works (ECoW)

	to oversee the implementation of the mitigation measures outlined below.
Pollution Prevention	Concrete and cement
Measures	On-site pouring and/or mixing of concrete or cement will be required during
Measures (Construction phase)	<ul> <li>On-site pouring and/or mixing of concrete or cement will be required during construction works, so the following measures will be implemented in order to retain all cement-based materials within the boundaries of the site: <ul> <li>Concrete pouring / mixing will only take place in dry weather conditions. It will be suspended if high-intensity local rainfall events are forecast (e.g. &gt;10 mm/hr, &gt;25 mm in a 24 hour period or high winds).</li> <li>If any on-site mixing of concrete is required, it will be carried out at least 25m from the River Boyne. If any cement-based products will be stored on-site, they will be kept in a sheltered area at least 25m from the River Boyne, and will be covered (e.g. with a thick plastic membrane) to prevent spread by wind.</li> <li>Ready-mix lorries and larger plant will not be cleaned on-site; they will be taken to an appropriate off-site facility with capacity to capture and treat contaminated wash waters.</li> <li>If any on-site cleaning of tools or concrete-batching plant is required, it will take place at least 25m from the River Boyne. Wash</li> </ul> </li> </ul>
	waters will be discharged to a soakaway. <b>Suspended sediments</b> Water can be contaminated by suspended sediments (SS) from open earthworks and excavations (either from rainfall or groundwater seepage), from rainfall on soil/sediment stockpiles, or from the tyres / tracks of construction vehicles. In order to retain all contaminated waters within the boundary of the site, the following measures will be implemented: - Excavation works will be suspended if high intensity local rainfall events are forecast (e.g. >10 mm/hr, >25 mm in a 24 hour period, or high winds).
	<ul> <li>If any excavations need to be dewatered, the SS-contaminated water will be retained and treated within the boundary of the site. It will be collected and pumped into a settlement tank / pond (or similar feature), left undisturbed until sediments have settled, and then discharged via a buffered outflow to a soakaway that is at least 25m from the River Boyne.</li> <li>Stockpiles of mud, sand or other fine sediments will be stored at least 25m from the River Boyne. Stockpiles will be levelled and compacted, and will be covered with thick plastic membranes in order to limit wind/rainwater erosion</li> <li>Dust suppression and road cleaning measures will be implemented, as outlined in Section 8 of the IFI guidelines.</li> </ul>
	<ul> <li>Hydrocarbons and chemicals</li> <li>In order to retain such materials within the boundaries of the site, the following measures will be applied throughout the construction works: <ul> <li>Any fuel, oil or chemical containers will be kept at least 25-50m from the River Boyne. These pollutants are hazardous and must be stored in a designated bunded area that has sufficient capacity to retain any spills All machinery should be protected from vandalism and unauthorised interference, and will be turned off</li> </ul> </li> </ul>

	and securely locked overnight.
	- If any on-site re-fuelling is required, it will take place at least 25-
	50m from the River Boyne. Immobile plant will be refuelled over
	drip-trays.
	- While in operation, diesel pumps, generators or other similar
	equipment will be placed on drip trays to catch any leaks.
	- A spill kit will be kept on-site. If any spills occur, appropriate
	measures will be taken to intercept hydrocarbons or chemicals on-
	site before they can leave the site.
Bat-sensitive lighting	To avoid or minimise displacement of bats from high-quality feeding areas
(construction and	along the River Boyne, 'bat-sensitive' lighting techniques are implemented
operation phases)	for landscaped areas near the river. The design principles have been
	agreed with the lighting consultant, and are as follows (BCT & ILP 2018)
	and will apply both during both the construction and operational phases
	- Low-UV LEDs are the preferred bulb type, as they have least effect
	on bats. Lights will have a 'warm' tone, with minimal blue / UV
	content.
	- Lights in pedestrian areas will be installed at a low level, e.g.
	bollards or hand rails of up to one metre in height, with light
	directed onto ground level, with no light spill above the horizontal.
	Lux levels will be the minimum required for pedestrian safety.
	- No lights will be directed towards freshwater habitats (i.e. the River
	Boyne), woodland or trees.
Protection of nesting	Most birds nest between March and August (inclusive), so any tree or shrub
birds and terrestrial	removal is carried out between September and February (inclusive). If this
mammals	is not possible, an ecologist will survey relevant vegetation in advance to
(Construction phase)	determine whether any nests are present. If any are encountered, the
	vegetation clearance will be delayed until the nesting attempt has been
	completed, e.g. when chicks have fledged, and the nest has been
	abandoned.
	Tree protection zones will be marked out for all retained trees and
	hedgerows in the vicinity of working areas.

## Residual Effects

- 9.9.2.10. The residual effects are summarised as follows:
  - The proposed pollution prevention measures will prevent fine sediments, concrete/cement, hydrocarbons and other pollutants from reaching the River Boyne and associated Natura 2000 sites.
  - All tree felling, demolition and site clearance works will take place outside the season of peak breeding activity in birds and mammals, or the area will be surveyed by an ecologist to confirm that no protected fauna is present. As a result, there will be no impact on local bird or mammal populations, and no legal offence under the Wildlife Act 1976 (as amended).
  - Bat-sensitive lighting techniques will be incorporated into the lighting plan in

order to avoid light-spill into areas that are likely to be used by bats. As a result, there should be no significant reduction in bat activity within the site.

9.9.2.11. Subject to the successful implementation of these measures, it is concluded that the proposed development will not cause any significant negative residual impacts on designated sites, habitats, protected species, or any other features of ecological/biodiversity importance.

#### Assessment / Conclusion

- 9.9.2.12. I have examined, analysed and evaluated Chapter 8 of the EIAR and all of the associated documentation and submissions on file in respect of biodiversity. I have inspected the application site and the surrounding area. In addition, I have had regard to the policy outlined in the current Plan (2021-2027). As indicated above, field data was collected between April 2021 and July 2022. In the case of bats, preliminary ground-level roost assessments were carried out for all built structures (buildings and bridges) to assess their suitability for roosting bats. In addition, a total of six surveys were carried out for The Abbey and the Medieval Wall. Within the submitted NIS, it is indicated that desktop and field survey data was collected between April 2021 and October 2023. Surveys included mapping of habitats and flora, searches for otter field signs, and inspections of the riverbank. Bird surveys were not considered necessary as the site does not contain any habitats suitable for bird species associated with nearby SPAs. Fish surveys were not considered necessary because the status of fish within the SAC is well established, and because the project will not involve any instream works. Having regard to the characteristics of the site and its urban nature, the extent of existing vegetation and tree cover across the site and the information provided within the Tree Survey Report (Appendix 18.1), I am satisfied that the surveys undertaken by the Local Authority are satisfactory in this instance and enable an understanding of the baseline environment for the project site.
- 9.9.2.13. As noted, the proposed development will result in the permanent loss of the dry meadow habitat on the bridge embankment (the eastern side of George's St). When considered in isolation, this will have a negative impact on this habitat of Local importance. However, the proposed development will involve substantial landscape

planting both along the riverfront and within the Medieval Wall character area (including trees, shrubs and groundcover) and I am satisfied that this will enhance the biodiversity value of the site and will result in a moderate positive effect.

- 9.9.2.14. I note that the application is accompanied by a Site Specific Flood Risk Assessment (SSFRA). It is established that the predominant source of flood risk within the site is fluvial and coastal flooding from the River Boyne along the riverfront area at Father Connolly Way. Both the Riverfront area (Father Connolly Way) and lower sections of Dominic Street and St. Patrickswell Lane are within a flood risk area (i.e Flood Zone A & B). I note that various mitigation measures to prevent suspended sediments from entering nearby watercourses have been proposed. Notably, stockpiles of mud, sand or other fine sediments will be stored at least 25m from the River Boyne. However, it is my view that a condition be included which precludes stockpiling in any areas of the site that are susceptible to flooding. It is also my view that a condition be included which requires the preparation of a Construction Management Plan (CMP) for the proposed development which provides details with respect to the location of the proposed construction compound.
- 9.9.2.15. In terms of the site's partial location within the River Boyne and River Blackwater SAC and its location upstream of a number of European Sites, it is acknowledged that all of the qualifying interests of these Natura 2000 sites could potentially be vulnerable to waterborne pollutants, and mitigation measures will be necessary in order to avoid or reduce the potential impacts of pollution incidents. An appropriate assessment of the proposed development has been undertaken in Section 10 of this report. Subject to compliance with appropriate conditions and the suite of mitigation measures proposed, I am satisfied that it has been demonstrated that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the relevant European Sites in view of their Conservation Objectives and there is no reasonable scientific doubt as to the absence of such effects.
- 9.9.2.16. I note that a preliminary CEMP has accompanied the application. As I have outlined earlier in this report, it is my recommendation that a condition be included which requires a suitably qualified ecologist to be retained by the LA to oversee the site set up and construction of the proposed development and the implementation of mitigation

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measures relating to ecology set out in preliminary CEMP, the NIS and the EIAR. The ecologist shall be present during site construction works and upon completion of works, an ecological report of the site works shall be prepared by the appointed ecologist to be kept on file as part of the public record.

- 9.9.2.17. With regard to cumulative effects, I am satisfied that there will be no potential for significant cumulative effects on biodiversity, given the absence of significant effects likely to arise from the proposed development and the protective policies and objectives on the land-use plans that will direct future development locally.
- 9.9.2.18. Having regard to the examination of environmental information in respect of biodiversity, in particular the EIAR and supporting information provided by the LA and the public submissions in the course of the application, it is considered that the negative impacts on habitats and fauna will be mitigated by the application of best practice construction methodologies, as set out in the project documentation and the application of the proposed mitigation measures, such that no significant adverse effects arise.

## 9.10. Land, Soil, Water, Air & Climate

## Land & Soil

# 9.10.1. Issues Raised

9.10.1.1. No issues are raised by parties to the application in respect of land and soil.

# 9.10.2. Examination, analysis and evaluation

## Context

- 9.10.2.1. Chapter 9 (Land, Soils & Geology) of the EIAR assesses and evaluates the potential impacts of the development on the land, soils and geological aspects of the site and surrounding area. Included as appendices are:
  - Appendix 9.1 Photographs of Site Surveying,
  - Appendix 9.2- Mapped Geology,
  - Appendix 9.3 Mapped Soils,
  - Appendix 9.4- Mapped Subsoils,

- Appendix 9.5 Historic 25" Map,
- Appendix 9.6 Mapped Land Use,
- Appendix 9.7 Mapped Special Areas of Conservation, and,
- Appendix 9.8 Mapped National Heritage Areas
- 9.10.2.2. In terms of methodology, a desk top study assessment of the land, soils and geological aspects of the application site were undertaken before and after field investigations. This involved the following components:
  - Acquisition and compilation of all available and relevant maps of the proposed development.
  - Detailed study and assessment of the proposed development relative to available data on site topography and slope gradients.
  - Thorough study and assessment of the proposed development relative to available data on site soils, subsoil and bedrock geology.

In addition, field inspections were carried out at the site during March and April 2022 and consisted of the following:

- Site walk over including recording and digital photography of significant features.
- Drainage mapping.
- Recording of GPS co-ordinates for all investigation and monitoring points in the study.

## Baseline

- 9.10.2.3. The application site is centrally located within the town of Drogheda on the northern banks of the River Boyne. In terms of topography, the riverfront area along Father Connolly Way is determined to be generally quite flat with the road level varying between 3.5 4.5m AOD. There is a significant rise up to West Street which has a road level varying between 8.0 11.0m AOD. There is an additional rise in the site's topography to the northern end of the red line boundary along Fair Street where the road level varies around 17 18m AOD.
- 9.10.2.4. The geological formation underlying the site is of Visean limestone and calcareous shale and soil types across the site include 'Artificial Surfaces' of 'Discontinuous Urban

Fabric', bordered by 'Water' to the south of the site. Available subsoil maps (GSI, 2022) indicate that subsoil types across the site are of 'Man Made Ground', again, bordered by 'Water' to the south. As the site is located in an urban area, there is likely to be some level of contamination in the soil from previous impacts such as construction waste and vehicular impacts of leaking hydrocarbons which may have been buried from previous developments.

#### Potential Effects

9.10.2.5. Potential significant effects of the development, as identified in the EIAR, are summarised in Table 9.10.1 below.

Do Nothing	The site would remain as an unattractive urbanised area, along the waterfront of the River Boyne. The existing land-use practice, including local community recreation will continue as would the associated pressures on surface water quality from upstream agricultural pressures in the river catchment.
	The development has the potential to be beneficial in comparison to the 'Do Nothing' Scenario as there will be increased area of landscaped/permeable surfaces, which is in contrast to baseline conditions, thus adding the hydraulic absorption / buffer control from this part of the site and reducing runoff
Construction Phase	The proposed development has the potential to result in the release of contaminants, particularly suspended solids during the construction phase of the project.
	Soil Sealing Soil sealing effects of the proposed development are considered to be direct, unavoidable, slight to beneficial, Long term/ permanent and adverse.
	Land Take Land take is determined to be minimal, as any land take by the proposed development is offset by the landscaped areas. In addition, works to improve junction layouts will reduce road/junction width. Amendments to the R900/West Street junction with the R132/George Street. Reduced road/carriage width to allow for the new cycle lane on each side of the road (R123) in accordance with the wider Drogheda Active Travel Strategy.
	Subsoil and Bedrock Removal The proposed works require a minimum re-profiling of roadways, footpaths and cycle paths along with seating areas. Therefore, the risk associated with subsoil and bedrock removal is considered to be insignificant. The storage of subsoil stockpiles is not anticipated given the size and current

#### Table 9.10.1: Summary of Potential Effects

	use of the site.
	Soil and Subsoil Compaction
	Unintended soil and subsoil compaction is due to inadvertent construction traffic on the development site. Soil compaction leads to bulk density of the soil increasing and the total porosity decreasing which can pose a risk to site drainage due to the lower level of ground permeability on the site.
	Soil Contamination
	Construction activities associated with the proposed development have the potential to introduce a number of contaminants to the receiving environment which may include:
	- Operation of plant vehicles and other petrol / diesel driven equipment - Hydrocarbons e.g., diesel, oil, grease.
	<ul> <li>Construction materials – e.g., concrete or cement.</li> <li>General waste – e.g., plastic.</li> </ul>
Operational Phase	Noting the nature of the proposed development, no significant effects on land, soils and geology are anticipated during the operational phase.
Cumulative Effect	Considering cumulative effects of pressures on the surface water network of the River Boyne, if an accidental release of contaminants were to occur, there is a potential to temporarily effect the water quality and ecosystem of this sensitive receptor. The Chapter has had a regard to a number of permissions in the site surrounds where there is potential for large cumulative effects. However, it is contended that the mitigation measures in this Chapter, Chapter 10: Hydrology and Hydrogeology and in the Flood Risk Assessment (FRA) shall reduce any potential effect to acceptable levels. Therefore, it is concluded that the development is not considered likely to significantly contribute to cumulative effects.

# Mitigation

9.10.2.6. Mitigation measures are summarised in Table 9.10.2 below.

#### Table 9.10.2: Summary of Mitigation

Soil Sealing	George's Square character area will include the introduction of soft
	landscaping to include new tree planting, shrubs, and grass/lawn areas to
	help green the plaza, soften the built form in the area, enhance natural
	drainage and provide a natural buffer between the R132/George's Street
	and the new public plaza area. In the Westgate character area, the creation
	of a 'shared surface' area to the east of the proposed freestanding Corten
	steel structures within West Street with high quality hard and soft
	landscaping. As well as the introduction of soft landscaping along West
	Street to include new tree planting to help green the area, soften the built
	form in the area and help to reduce the speed of vehicles.
Land Take Mitigation	No permanent stockpiles will remain on the site. All excavated materials
measures by Reuse	from the site or introduced materials for construction will be either used
and Reduction	during construction or removed from the site. All temporary stockpiles will
	be positioned on established in designated areas which are appropriate for
	short term storage. Temporary storage locations will also be managed in
	terms of potential for solids entrainment by runoff.
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	Medieval Wall area: Introduction of soft landscaping improvements to include wildflowers, plants, shrubs and trees to create a medieval garden feel; enhanced sensory experience; soften the built form in the area; and enhance natural drainage opportunities.
	Old Abbey Area: Introduction of trees to soften the built form in the area; enhance the sensory experience; provide opportunities for birds to nest and rest in the area and enhance natural drainage opportunities. Retention of existing trees along Father Connolly Way and provision of soft landscaping improvements including new grass/lawn areas to help green the area and soften the overall built form.
Soil and Subsoil	Any infill material/landscaping that is required will be placed and levelled in
Compaction	appropriate lift thicknesses to ensure the material is not over compacted thereby retaining it drainage properties.
Subsoil and Bedrock	The management movement and temporary stockpiling of material on
Removal	site, including a materials balance assessment and plan is detailed in the
	pCEMP. this will include identification of suitable temporary set down areas
	which will be located within the development footprint and will consider and
	avoid geo-constraints. Temporary set down / stockpile areas will be
	considered similarly to active excavation areas in terms of applying
	precautionary measures and good practices, and mitigation measures,
	including those relating to control of runoff and entrapment of suspended
	solids.
Soil Contamination	All plant and machinery will be serviced before being mobilised to site. No plant maintenance will be completed on site and any broken down plant will be removed from site to be fixed. Refuelling of vehicles and the addition of hydraulic oils or lubricants to vehicles will be undertaken offsite where possible. Where this is not possible, filling and maintenance will take place in a designated material storage compound, which is located at least 15 meters from any temporary or permanent drainage features.
	Refuelling if necessary on site, will be completed in a controlled manner using drip trays at all times or a designated refuelling area will be created on an impervious surface such as a concrete slab with drainage to a hydrocarbon interceptor or other tank type which will hold run-off from the concrete slab.
	Mobile bowsers, tanks and drums will be stored in secure, impermeable storage areas away from open water. No bulk chemicals will be stored within the active construction areas. Fuel containers will be stored within a secondary containment system, e.g. bunds for static tanks or a drip tray for mobile stores. Containers and bunding for storage of hydrocarbons and other chemicals will have a holding capacity of 110% of the volume to be stored. Ancillary equipment such as hoses and pipes will be contained within the bund. Taps, nozzles or valves will be fitted with a lock system.
	Fuel and chemical stores including tanks and drums will be regularly inspected for leaks and signs of damage. Drip-trays will be used for fixed or mobile plant such as pumps and generators in order to retain oil leaks

and spills. Only designated trained operators will be authorized to refuel plant on site.
Procedures and contingency plans will be set up to deal with emergency accidents or spills.

### Residual Effects

9.10.2.7. Residual effects are summarised in Table 9.10.3 below.

Table	9.10.3:	Residual	Effects
	••••••		

Subsoil and Bedrock Removal	Adverse, direct, small in scale, slight to imperceptible as there is no bedrock removal and subsoils are reused.	
Soil and Subsoil Compaction	Negative, slight, direct, likely impact on topsoil and subsoils.	
Soil Contamination	The use and storage of hydrocarbons and small volumes of chemicals is a standard risk associated with all construction sites. The measures identified to mitigate the risk of spills and leaks, will be applied during the construction phase. The residual effect is assessed as - Negative, imperceptible, direct, short-term, low probability effect on subsoils, bedrock and groundwater.	

# Assessment / Conclusion

9.10.2.8. I have examined, analysed and evaluated Chapter 9 of the EIAR and the associated appendices. The main activities associated with the construction phase of the proposed development that can give rise to potential impacts include run-off percolating to ground, contaminants in surface water, earthworks, excavations and subsoil stripping with certain areas of the site. The relevant mitigation measures have been outlined in the EIAR and in the event of a grant of permission, conditions should be attached which requires the LA to prepare a finalised CEMP and CMP for the proposed development which has regard to the various mitigation measures in the EIAR and NIS. These documents are to be kept on file as part of the public record. Overall, I am satisfied that the sufficient survey data has been provided to enable assessment of likely effects on the environment. However, a condition should be included which requires a further assessment to be undertaken by the LA (as recommended in Section 9.78) to determine if there has any historic ground pollution from previous land use practices and a record of same shall be placed on the public file. Having regard to the detailed assessment carried out and subject to the full implementation of proposed mitigation measures, I am satisfied that subject

development will not give rise to significant direct, indirect, or cumulative effects on land, soils, or geology of the site.

# Water

# 9.10.3. Issues Raised

9.10.3.1. No issues are raised by parties to the application in respect of water.

#### 9.10.4. Examination, analysis and evaluation

Context

- 9.10.4.1. Chapter 10 (Hydrology and Hydrogeology) of the EIAR provides a description of the hydrology and hydrogeology (water) environment within and immediately surrounding the site, an assessment of the potential impacts of the proposed development on hydrology and hydrogeology and sets out any required mitigation measures where appropriate. The Chapter is supported by the following appendices:
  - Appendix 10.1 Photographs of Site Surveying,
  - Appendix 10.2 Local & Regional Hydrology,
  - Appendix 10.3 Surface Water Sampling Locations,
  - Appendix 10.4 Bedrock Aquifer,
  - Appendix 10.5 Bedrock Aquifer Vulnerability,
  - Appendix 10.6 WFD Status 2016-2021,
  - Appendix 10.7 Groundwater Wells & Springs,
  - Appendix 10.8– Mapped Designated Protected Areas,
  - Appendix 10.8 (B) Surface Water Buffer Zone, and,
  - Appendix 10.9 Surface Water Baseline Database & Laboratory Certificates.
- 9.10.4.2. In terms of the methodology, the following calculations and assessments were undertaken in order to evaluate the potential effects of the development on the hydrology and hydrogeology aspects of the environment:
  - Characterise the topographical, hydrological, and hydrogeological regime of the site from the data acquired through desk study and onsite surveys.
  - Preliminary flood risk evaluations.
  - Consider hydrological or hydrogeological constraints together with development design.

- Consider drainage issues, or issues with surface water runoff quality as a result of the development, its design and methodology of construction.
- Assessment of the combined data acquired and evaluation of any likely effects on the hydrology and hydrogeology aspects of the environment.

Desk top study assessments were undertaken of the hydrology and hydrogeology aspects of the application site before and after field investigations. In addition, field inspections were carried out at the site in March and April 2022. These works consisted of the following:

- Site walk over including recording and digital photography of significant features.
- Drainage distribution and catchment mapping.
- Field hydrochemistry of the drainage network (electrical conductivity, pH and temperature).
- Recording of GPS co-ordinates for all investigation and monitoring points in the study.
- Two baseline sampling events of surface water were carried out for analytical laboratory testing.

# Baseline

- 9.10.4.3. As noted, the topography of the site slopes up from the banks of the River Boyne to its highest point along Fair Street along the northern site boundary. In terms of hydrology, the site is situated within the Boyne Catchment (ID: 07; Area: 2,690 km2) and in the sub catchment Boyne\_SC\_130, within the WFD River Sub Basin TULLYESKAR\_010 (surface water networks mapped in Appendix 10.2). Hard standing is the predominant surface across the site. This hard surfacing was combined with an existing surface water runoff drainage network (i.e., storm water drainage infrastructure), along Father Connolly Way. The drainage of the area has been heavily modified, reducing the risk of flooding events within the site. Runoff from the area is either directed to the municipal sewer system or potentially discharges directly into the River Boyne.
- 9.10.4.4. In terms of surface water quality, two surface water sampling events took place (March and April 2022) to understand the baseline conditions of water quality associated with

the receiving waterbody. It is stated that both downstream and upstream of site had elevated levels in conductivity at 20deg. Levels of ammoniacal Nitrogen (N) were also elevated over the recommended 0.02 and ranged from 0.93 downstream to 2.7 upstream. It is stated that this can often indicate a release of nutrients into the surface water body via agricultural run off or sediments. As the levels for suspended solids were over the 25mg/l limit and ranged from 32 upstream to 35 downstream, it is evident that the surface water is already facing pressures and therefore it is imperative not to add to the cumulative effects.

- 9.10.4.5. In terms of hydrogeology, it is indicated that the site is underlain by bedrock which is limestone (pale micritised grainstone-wackestone) and the bedrock is classified as a 'Regionally-Important Aquifer Karstified (diffuse)' (Rkd). For groundwater vulnerability, it is indicated that the site is underlain by areas classified predominantly by a Moderate (M) vulnerability rating, with small areas of High (H) and Low (L) rating within the site boundaries.
- 9.10.4.6. Groundwater underlaying the site holds a WFD Ground Waterbody Status of 'Good' and is 'not at risk' of deteriorating. As noted, the River Boyne adjoins the southern boundary of the site and at this point the river is estuarine, mixed with the tidal waters of the Irish Sea. Under the Water Framework Directive status assessments 2018 2020, the transitional waters of the River Boyne are of 'Moderate' status and is 'At Risk' of not achieving 'Good' status during the next assessment.
- 9.10.4.7. In terms of flooding, the River Boyne at the location of the site is a transitional waterbody, i.e., it is both fluvial and coastal in nature and hence, influenced by both. It is stated that portions of the site, predominately along Father Connolly Way and Dominic Street, along with Dominic Street Car Park (the proposed Riverfront area), fall under both Flood Zone A and Flood Zone B. As noted previously, the SSFRA has indicated that the lower section of and St. Patrickswell Lane is also within a flood risk area.
- 9.10.4.8. When considering groundwater, it is indicated there are no mapped wells within the application site boundary following consultation with GSI well database. It is noted that the closest mapped wells are more than 1.5 kilometres from the boundary of the

application site, outside the applied designated 500 metre buffer zone.

9.10.4.9. In terms of European Sites, the River Boyne and River Blackwater SAC is located immediately to the south of the site and partially overlaps the boundary. It is stated that sites located downstream of the development are of main concern. However, given the tidal nature of the River Boyne, and pollution potential of sites to the west, sites upstream of the application site were also considered. Ground water bodies underlying the application site are also protected under EU Water Framework Directive Legislation as Designated Groundwater in SPA and SAC Habitats.

# Potential Effects

9.10.4.10. Potential significant effects of the development, as identified in the EIAR, are summarised in Table 9.10.4 below.

Do Nothing	Should the proposed development not proceed, the site would remain a
	previously developed urbanised area, along the waterfront of the River
	Boyne. The existing land-use practice, including road infrastructure,
	pedestrian paths/lanes and local community recreation will continue, as
	would the associated pressures on surface water quality from upstream
	agricultural pressures from the river catchment.
Construction Phase	Release of Contaminants-Suspended Solids
	Excavation and construction activities introduce the risk of solids being
	entrained in runoff. Runoff contaminated with suspended solids will add
	turbidity to the receiving surface water body, can block fish gills and smother spawning grounds, reduce light penetration for flora growth, and promote bacteria and algae production. Nutrients that are associated with the solids (inorganic nutrients such as phosphorus and organic such as hydrocarbons, and sewage if present) can lead to eutrophication of the water environment and eventually to fish-kills due to lowering of oxygen supply.
	Release of Contaminants- Hydrocarbons and Storage
	Plant equipment and vehicles associated with excavation, material transport, and construction activities introduce the risk of hydrocarbon (fuel and oil) spillages and leaks.
	Similar to suspended solids arising from excavation activities, hydrocarbons accidentally introduced to the environment will likely be intercepted by drainage and surface water networks associated with the application site.
	Release of Construction or Cementitious Material

#### Table 9.10.4: Summary of Potential Effects

	The development has the potential to result in the accidental spillage or
	deposition of construction waste into soils and in turn effect on surface
	water runoff, or accidental spillages directly intercepted by drainage or
	surface water networks associated with the development. It is considered
	that any impact on water quality associated with the construction of the
	berms 'negligible', 'imperceptible, and 'short-term'.
	Surface water runoff coming into contact with concrete structures will be
	impacted to a degree, however water percolating through lean mix will be impacted significantly.
	Release of Wastewater or Sanitation Contaminants
	The development has the potential to result in the accidental leakage of
	wastewater or chemicals associated with wastewater sanitation onto soils,
	and into the drainage network during the construction phase of the project.
	Considering the 'Moderate' quality of the surface waterbody neighbouring
	the site (baseline), and the fact surface waters are 'At Risk' in terms of
	sensitivity, any introduction of contaminants is considered a potentially
	of contaminants at the site will likely be short lived or temporary however
	the potential effects to downstream receptors can be long lasting, or
	permanent.
	Hydrologically Connected Designated Sites and Drinking Water
	Any contaminants arising from the development will potentially adversely
	effect on downstream designated site(s). Although potential contamination
	incidents will be temporary in terms of the waters themselves,
	consideration must be given to the potentially long lasting or potentially
	permanent effect(s) of contaminants on the ecological attributes dependent
	on the surface water bodies associated with designated areas.
Operational Phase	Increased Hydraulic Loading
	I he development has the potential to result in decreased volumes of runoff
	conditions. This is a function of the increase area of landscaped/permeable
	surface which is in contrast to baseline conditions thus adding the
	hydraulic absorption / buffer control from this part of the site Reduced
	runoff, or a reduced hydrological response to rainfall has the potential to
	minimise flooding effects and effects on hydro morphology of waterbodies
	downstream of the development, and/or to minimise flooding effects and
	erosion within the boundary of the site.
	Storm water Run-off Contamination
	The development has the potential to affect the water quality associated
	with surface and foul water drainage. General water quality effects
	associated with runoff from parking areas and other hard standing areas
	will be directed towards storm water network observed during site
	surveying. A GPR-Utility Survey conducted by Scantech Geoscience was
	conducted and identified available data on sewer drainage. The survey
Cumulativa Effect	Soction 10.64 has indicated that the 'De Mething Impact' inductes the
	Section 10.04 has indicated that the Do Nothing impact includes the

continued pressure on waterbodies generally. Pressures are associated with a range of activities including urban, agricultural, and similar developments which contribute to the cumulative effect on receiving waterbodies in the catchment. It is stated that the proposed mitigation measures are objective driven with a view to minimising any adverse effect
to the receiving waterbody network, and in line with WFD objectives that is; achieving and maintaining at least 'Good' status in all waterbodies.
With respect to hydrology, the effects of the development are considered to contribute to the cumulative nature of adverse effects imposed on the surface water network in the catchments associated with the development However, the potential for the development to have adverse cumulative effects on hydrology is limited to the construction phase, if prescribed mitigation measures are not adhered to.
Cumulative effects of pressures on the surface water network have taking into account of additional projects such as the construction of 275 no. residential units on land adjacent to Scotch Hall Shopping Centre, Drogheda (Planning Ref: 309668), 215 no. units on lands at Newtownstalaban (Planning Ref: 305819), the Refurbishment of St. Dominick's Bridge (Planning Ref: 308224), the construction of the Boyne Greenway (Planning Ref: 315460 & 307652). However, it is stated that the mitigation measures in this chapter and in the SSFRA shall reduce any potential effect to acceptable levels. Therefore, the proposed development is not considered likely to significantly contribute to cumulative effects in terms of water quality nor flood risk.
With respect to hydrogeology, and the potential effects of the development having been assessed as likely being minor and temporary and are therefore unlikely to contribute significantly to cumulative effects on groundwater quality. However, the residual risk, even if small in scale, is important to consider in the context of the elevated sensitivity and importance of the receptor. Assuming the adequate application and execution of mitigation measures, and achieving the objectives set out, for example; <25mg/l Suspended Solids, the development is not considered to potentially significantly contribute to cumulative surface water or groundwater effects.

# Mitigation

# 9.10.4.11. Mitigation measures are summarised in Table 9.10.5 below.

<b>Construction Phase</b>	Earthworks Proposed Mitigation Measures	
	Preventing run-off is an effective method of preventing sediment pollution in the water environment. Therefore, adoption of appropriate erosion and sediment controls to manage run-off during construction is essential to prevent sediment pollution.	
	The proposed development will aim to maintain existing on-site levels as	

 Table 9.10.5:
 Summary of Mitigation

far as is practical. This should constitute a minimum interference with the natural soils below ground level. This should reduce the volumes of soils being disturbed and soils being stockpiled which will reduce the potential for sediment run-off and sediment loading of surface waters.
Mitigation measures to address the potential effects of sediment loading
include the following:
<ul> <li>Management of excavated material, that is: a materials management plan will be established and form part of the Construction &amp; Environmental Management Plan (CEMP) with a view to establishing material balance during the proposed construction phase, thus minimising the potential for, or the length of time excavated materials are exposed and vulnerable to entrainment by surface water runoff.</li> <li>A full GPR-Utility survey was conducted of existing drainage</li> </ul>
features such as manhole investigation. The existing drainage is expected to have the capacity for any temporary increases in
surface water flow where applicable. However, surface water will be reduced overall following the construction of the development as green areas are incorporated in the design.
<ul> <li>Drainage and measures to control run-off will be employed to manage sediments prior to any works being undertaken on site.</li> </ul>
<ul> <li>No permanent, or semi-permanent stockpile will remain on the site during the construction phase of the development.</li> </ul>
- Suitable locations for temporary stockpiles will be identified on a
case-by-case basis. The suitability of any particular location will consider characteristics of the proposed site including; slope incline and topography, drainage networks in the vicinity and proximity to same, other relevant characteristics which are likely to facilitate, increase, or compound the potential for entrainment by surface water runoff.
- Earthworks will be limited to seasonally dry periods and will not occur during sustained or intense rainfall events. Similarly, controls measures in preparation for and during storm events will be outlined in the Surface Water Management Plan (SWMP), for example, pause excavation activities during storm events.
<ul> <li>Any permitted, exposed soils (temporary stockpiles) will be covered with plastic sheeting during all relatively heavy rainfall events and during periods where works have temporarily ceased</li> </ul>
<ul> <li>before completion at a particular area (e.g. weekends).</li> <li>Silt fencing will be installed around the perimeter of the site at any locations where surface water is likely to run off, directly into the</li> </ul>
River Boyne. The location of the silt fencing will be determined in the construction stage CEMP and is subject to a detailed assessment of the area or phase to be developed. The purpose of the silt fencing is to prevent silt leaving the site in run-off water and entering adjacent land with the potential to effect nearby watercourses. Silt fences will consist of a geotextile membrane
fixed to wooden stakes approximately 600 mm high. The membrane will be anchored into the ground to form a continuous barrier with the soil surface. Silt fences will be monitored and maintained when necessary, during the construction period.

Maintenance will include the replacement of the geotextile when damaged and the removal of any silt build-up on the upslope side of the silt fence. Silt fences will be temporary features but will remain in place for a period following the completion of the
<ul> <li>construction phase.</li> <li>Construction waters will be collected and pumped to the established treatment train prior to discharging from site, if necessary.</li> </ul>
<ul> <li>Emergency contact numbers for the Local Authority Environmental Section, Inland Fisheries Ireland, the Environmental Protection Agency and the National Parks and Wildlife Service will be displayed in a prominent position within the site compound. These agencies will be notified immediately in the event of a pollution incident.</li> <li>Site personnel will be trained in the importance of preventing pollution and the mitigation measures described here to ensure</li> </ul>
<ul> <li>same.</li> <li>The site manager will be responsible for the implementation of these measures. They will be inspected on at least a daily basis for the duration of the works, and a record of these inspections will be maintained.</li> <li>Road sweepers will be employed to clean the site access route as required.</li> </ul>
Release of Hydrocarbons Proposed Mitigation Measures To control and contain any potential hydrocarbon and other harmful substances spillage by vehicles during construction, it is recommended where possible to refuel plant equipment off the development site, thus mitigating this potential effect by avoidance.
Plant equipment used on site will require regular mechanical checks and audits to prevent spillage of hydrocarbons on the exposed ground (during construction). Construction plant will be routinely checked by the Contractor for signs of leaks or damage, or unsatisfactory performance. All leaks identified from plant hydraulics, brakes lines, fuel lines will be promptly repaired, and any spillages will be dealt with accordingly with spill kits.
The risk of water quality effects associated with works machinery, infrastructure and on-land operations (for example leakages/spillages of fuels, oils, other chemicals and waste water) will be controlled through good site management and the adherence to codes and practice as outlined under Sections 10.120 to 10.124.
Surface Water Contamination Materials Proposed Mitigation Measures The use of oil booms and, if necessary, a silt settlement tank will reduce the risk of contamination of surface water run-off.
Construction and Cementous Materials Proposed Mitigation Measures It is essential to ensure that the use of wet concrete is carefully controlled so as to minimise the risk of any material entering the water. The following

	measures will apply:
	<ul> <li>A washdown area will be provided on site, if necessary, for trucks to use after delivery of concrete or on return to the batching plant. This area will be adequately bunded to mitigate the risk of contaminated runoff to the site and surrounding area. Washdown runoff will be appropriately treated prior to discharge.</li> <li>Wash-out areas on site will be properly designed as an impermeable slab with a peripheral drain system.</li> <li>Wash-out of vehicles shall not be located within 10 metres of any temporary or permanent drainage features.</li> </ul>
	Wastewater or Sanitation Contaminants Proposed Mitigation Measures Potential contamination incidents arising from welfare facilities will be addressed in a similar manner to other contamination incidents whereby issues identified will be isolated and addressed in an efficient and timely manner. Site welfare facilities will connect to existing foul sewer system (in consultation with and authorized by Irish Water) or use bunded porta-loos.
Monitoring during Construction Phase	A SWMP is recommended for the proposed development to detail the site drainage that has been designed for the site. The SWMP shall be a live document and where there is a requirement for variation at the site to provide more ecologically sensitive drainage during the construction phase, then the SWMP will be updated to reflect this. The SWMP will be updated by the appointed Contractor and changes to the document will be agreed with the Project Hydrologist, Environmental Clerk of Works (EnvCoW) and relevant stakeholders before drainage works commence.
	Furthermore, surface water monitoring is proposed during construction of the development. Surface water samples from the River Boyne were collected at two locations; upstream and downstream of the Site to understand baseline conditions. This practice should be repeated regularly from the same upstream and downstream locations during the construction period at weekly intervals and should include an analysis for total suspended solids, pH and total petroleum hydrocarbons. This would allow for the detection of sediment loading, concrete pollution or spillages of hydrocarbons.
Operational Phase	Increased Hydraulic Loading
	It is stated that the use of SuDS will ensure there will be no additional discharge to the existing surface water drains that would increase surface water runoff. Therefore, the baseline greenfield runoff rate (QBAR) will be maintained.
	Surface Water Contamination Before works commence, it is stated that a detailed survey of surface water/storm water drainage system is required.
Monitoring during	It is stated that monitoring of the River Boyne will solely consist of existing
Operational Phase	monitoring carried out under the National River Monitoring Programme (EPA) as part of the Water Framework Directive (2000).

# Residual Effects

9.10.4.12. It is stated that the mitigation measures outlined lay down the framework to reduce all

identified potential effects of the development on Hydrological and Hydrogeological receptors. The residual effects are summarised in Table 9.10.6 below.

Effect	Mitigated Risk / Effect to Receptor
Release of suspended solids entrained in runoff, intercepted	Very Low Risk / Neutral Effect
by surface water network.	
Release of hydrocarbons in runoff, intercepted by surface	Very Low Risk / Neutral Effect
water network.	
Release of hydrocarbons to ground, intercepted by	Low Risk / Neutral Effect
groundwater.	
Release of waste water / chemicals in runoff, intercepted by	Very Low Risk / Neutral Effect
surface water network.	
Release of waste water / chemicals in runoff, intercepted by	Low Risk / Neutral Effect
groundwater.	
Release of cementitious material in runoff, intercepted by	Very Low Risk / Neutral Effect
surface water network.	
Reaction between concrete and surface water / runoff and	Very Low Risk / Neutral Effect
concrete adversely altering surface water hydrochemistry.	
Wetting - Excess discharge in a particular area (local	Very Low Risk, Neutral to Positive
flooding)	Effect.
Altering hydrological regime at a particular location.	Very Low Risk / Neutral to Positive
Potentially leading to restricting water flow and localised	Effect
flood risk.	
Altering hydrogeological regime at a particular location.	Very Low Risk / Neutral Effect
Potentially leading to restricting groundwater flow and	
localised Effects to groundwater levels and flow regime.	

 Table 9.10.6: Residual Impacts

# Assessment / Conclusion

9.10.4.13. I have examined, analysed and evaluated Chapter 10 of the EIAR and the associated appendices. I have also had regard to the submitted plans and particulars including the proposed drainage plans (i.e. Drawing Nos. LOUX3001-P-000-401 - LOUX3001-P-000-406). I note that issues concerning surface water and groundwater contamination are addressed in detail in Section 10 (Appropriate Assessment) of this report and I am satisfied that significant effects on any designated European Sites will not arise subject to compliance with the various mitigation measures and monitoring outlined above and suitable conditions which should be attached in the event of a grant

of permission. It is my recommendation that a condition be included which requires the preparation of a finalised CEMP which includes the various mitigation measures set out in the EIAR and the NIS, with a record of same to be kept on public record. I also note that any stockpiling of materials should be precluded in areas that are susceptible to flood risk and the LA should be required to prepare a CMP for the proposed development prior to commencement.

- 9.10.4.14. As I have outlined, the application has been accompanied by a SSFRA and it has been established that the predominant source of flood risk within the site is fluvial and coastal flooding from the River Boyne along the Riverfront area at Father Connolly Way and lower sections of Dominic Street and St. Patrickswell Lane (i.e. located within Flood Zone A & B). Other areas of the site are set in higher areas, namely Westgate, Medieval Wall and The Abbey, are situated in Flood Zone C (outside 0.1% AEP) and therefore the risk of fluvial and coastal flooding is low. A Stage 3 FRA was undertaken to analyse the risks and mitigation measures that need to be employed to address the fluvial and coastal flooding risk and a Justification Test was undertaken for the proposed development for works within the footprint of Flood Zone A. This was due to the nature of the proposed works, namely public realm and urban regeneration type work which have been assessed as a 'Less Vulnerable' type development, in accordance with Table 3.1 of the Flood Risk Management Guidelines, 2009 by the OPW and the then Department of the Environment, Heritage & Local Government (Flood Risk Guidelines).
- 9.10.4.15. I note that the Flood Risk Guidelines requires that where a planning authority is considering proposals for new development in areas at a high or moderate risk of flooding, that includes types of development that are vulnerable to flooding, then they must be satisfied the development satisfies all of the criteria of the Justification Test. Having regard to the information available within the SSFRA, including the Justification Test and the documentation submitted as part of the application, I am satisfied that the development can be assessed against each of the criteria set out in Box 5.1 of the guidelines. It is considered appropriate to address each of the criteria as follows:
  - 1. The subject lands have been zoned or otherwise designated for the particular

use or form of development in an operative development plan, which has been adopted or varied taking account of these Guidelines.

- 9.10.4.16. The subject site predominantly forms the public realm areas within the town centre of Drogheda and has a direct abuttal with lands zoned for regeneration. As detailed in Section 8.1 of this report, there is policy support at local through to national level for the regeneration of the Westgate area and the proposed development would accord with and support the relevant zoning objective.
  - 2. The proposal has been subject to an appropriate flood risk assessment that demonstrates:
    - *i.* The development proposed will not increase flood risk elsewhere and, if practicable, will reduce overall flood risk;
- 9.10.4.17. The development generally replaces existing hardstanding and there are minimal changes to existing levels. The initial and detailed flood risk assessment stages have determined that there is no increased risk to flooding elsewhere. No infilling works are proposed and there will be minimum re-profiling of levels for new roadways, footways, cycle paths and seating areas. In addition, no overall increase in hardstanding area in comparison to the existing situation and SuDS methodologies are to be employed, where feasible. Therefore, it is considered that the flood risk at the site and elsewhere arising from surface run off is likely to reduce.
  - ii. The development proposal includes measures to minimise flood risk to people, property, the economy and the environment as far as reasonably possible
- 9.10.4.18. The proposed development details measures to minimise the flood risk which include:
  - Materials selected for the proposed hard standings must not become damaged or dislodged as a result of being submerged under this depth of flood water.
  - All existing drainage infrastructure to be retained and/or replaced. New drainage to be provided if any low-lying areas are introduced.
  - Consideration that any soft landscaping introduced does not increase risk of blockage to gullies and/or aco drains.

- iii. The development proposed includes measures to ensure that residual risks to the area and/or development can be managed to an acceptable level as regards the adequacy of existing flood protection measures or the design, implementation and funding of any future flood risk management measures and provisions for emergency services access;
- 9.10.4.19. It is highlighted that Father Connolly Way and Dominic Street are two-way roads with vehicular and pedestrian access to higher areas so there is an accessible route of escape from the accumulation of flood water during an event. It is also noted that there is access to the area for emergency services.
  - iv. The development proposed addresses the above in a manner that is also compatible with the achievement of wider planning objectives in relation to development of good urban design and vibrant and active streetscapes.
- 9.10.4.20. It is outlined that the purpose of this scheme is to regenerate the Westgate area through the enhancement of public realm, creation of a new transformative gateway / arrival space, public spaces and pedestrian linkages.
- 9.10.4.21. Overall, I am satisfied that it has been demonstrated that the proposed development is in accordance with the various criteria set out in Box 5.1 of the Flood Risk Management Guidelines. The nature of the proposed works within the southern portion of the site are such, that the development will not give rise to risk of flooding on site or elsewhere downstream and the sustainable management of flood risk to an acceptable level has been demonstrated.
- 9.10.4.22. Having regard to the totality of the information on file, I am satisfied that the Applicant has provided sufficient baseline data to enable assessment of likely effects on the water environment. When considering the detailed assessment carried out, the proposed mitigation measures, which are typically standard good practice measures, and which are proven to be effective at preventing adverse effects on water flows and water quality, I am satisfied that no significant, adverse direct, indirect, or cumulative effects on the water environment, water quality or WFD objectives will arise as a consequence of the proposed development.

# Air Quality and Climate

#### 9.10.5. Issues Raised

9.10.5.1. No issues are raised by parties to the application in respect of Air Quality or Climate.

# 9.10.6. Examination, analysis and evaluation

# Context

- 9.10.6.1. Within Chapter 11 (Air & Climate) of the EIAR, an air quality assessment has been prepared in the context of extensive European, national and local policy on the subject of air quality. The assessment addresses effects during both the construction and operational phases of the proposed development. The approach taken for assessing the potential air quality effects of the proposed development are summarised as follows:
  - Characterisation of baseline local air quality,
  - Qualitative impact assessment of construction phase of the development,
  - Impact assessment of air quality effects of the proposed development whilst it is operational, and,
  - recommendation of mitigation measures, where appropriate, to ensure any adverse effects on air quality are minimised.
- 9.10.6.2. Climate change comprises two distinct areas:
  - Climate Change Mitigation an assessment of likely significant effects upon climate change resulting from the project and their mitigation, including an estimate of greenhouse gas (GHG) emissions; and,
  - Climate Change Adaptation an assessment of likely significant effects of climate change upon the project, including its vulnerability and the need for any adaptation measures to ensure project resilience to projected climate change scenarios.
- 9.10.6.3. Included as appendices to this chapter are:
  - Appendix 11.1: Air Quality and Climate Change Standards, and,
  - Appendix 11.2: Construction Dust Assessment Methodology.

#### Baseline

- 9.10.6.4. The principal air quality pollutants relevant to this assessment are considered to be NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub>, generally regarded as the three most significant air pollutants released by vehicular combustion processes, or subsequently generated by vehicle emissions in the atmosphere through chemical reactions and are generally considered to have the greatest potential to result in human health impacts. A desk-based study has been undertaken using data obtained from the EPA website. The Drogheda monitoring site is c. 3km to the north-east of the application site and it monitors PM<sub>10</sub> and PM<sub>2.5</sub> but was only operational from April 2021. It is stated that the next nearest monitoring sites are located in Navan and Dundalk which are both over 20km from the application site and data for 2019 was unavailable at these stations. The NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> monitoring data recorded is presented in Table 11.4 of the EIAR. No exceedances of the relevant air quality standards (AQSs) were recorded at the monitoring sites in closest proximity to the application site. Therefore, exceedances of the relevant AQSs at the application site is not expected.
- 9.10.6.5. In terms of climate, it is stated that EPA data has shown that Agriculture was the largest contributor of CO<sub>2</sub> emissions in 2020 at 37.1%. The second largest contributor being the transport sector, accounting for 17.9%. Ireland's GHG Emissions Projections 2020-2040 Report, published by the EPA in 2021, provides an assessment of Ireland's total projected GHG emissions which includes an assessment of progress towards achieving its emission reduction targets out to 2020 and 2030 set under the EU Effort Sharing Decision (Decision No 406/2009/EU) and Effort Sharing Regulation (Regulation (EU) 2018/842). The closest meteorological station to the development site is Dublin Airport and the average observed climate data for the site is presented in Table 11.5. Table 11.7 of the EIAR sets out a summary of climate change risks and opportunities relevant to the proposed development.

#### Potential Effects

9.10.6.6. Potential significant effects of the development, as identified in the EIAR, are summarised in Table 9.10.7 below.

 Table 9.10.6:
 Summary of Potential Effects

Do Nothing	In a 'Do Nothing' scenario, no construction works will take place and
	therefore no fugitive dust or plant vehicle emissions would be generated.

	Traffic within the development site and the surrounding road network would
	impacted and air quality within the area would be representative of current baseline conditions.
	Air Quality
Construction Phase	Potential Dust Emission Magnitude
	The estimation of dust emissions magnitudes (before mitigation) for earthworks, construction and trackout activities are presented in Table 11.7 of the EIAR. Consideration is given to the impact of the construction site boundary and routes along which Heavy Duty Vehicles (HDVs) may facilitate trackout. It is anticipated that construction traffic will travel along George's Street (R132) north and southbound and connect onto N51 northbound and R152 southbound.
	The River Boyne and River Blackwater SAC adjoins and is partly located within a small area of the site. There is a risk of indirect impacts from construction activities, to which the qualifying interests may be vulnerable to waterborne pollutants. As per the IAQM Guidance, the SAC is considered as a 'high sensitivity' receptor. Human receptors were identified within 350m of the application site boundary by making reference to online publicly available satellite imagery.
	The dust emission magnitude summarised in Table 11.7 has been combined with the sensitivity of the area in Table 11.8 of the EIAR to determine the risk of impacts of construction activities before mitigation. These have been evaluated based on risk categories of each activity in Appendix 11.2 of the EIAR and range from negligible to high.
	<i>Exhaust Emissions from Plant and Vehicles</i> The number of HDV movements associated with the application site has been estimated to be <10 HDV movements per day during the busiest phase of the construction period. Therefore, the short-term increase in HDVs and employee trips moving to and from site is considered not significant.
	The operation of site equipment and machinery will result in emissions to atmosphere of exhaust gases, but with suitable controls and site management such emissions are considered short-term and not significant.
Operational Phase	<i>Air</i> No significant new traffic generators are being proposed by the scheme. Therefore, the proposed development will not bring additional traffic to the area. Furthermore, traffic numbers are anticipated to decline in the next few years following the delivery of the proposed development, and the wider active travel measures being implemented by LCC in Drogheda, particularly along the R132. In summary, no major traffic number or road infrastructure changes are anticipated, and no sensitive receptors are within 50m of a complex road layout. No sections within the DMRB and TII Guidance criteria were exceeded, and operational phase impacts were not included in the assessment.

	The adjoining SAC is sensitive to dust and hydrocarbons which would
	include the re-suspension of dust and vehicle emissions from road traffic.
	However, as it is anticipated that there will be no significant additional traffic
	from the proposed development, there are no significant changes in AADT
	of the existing read network. It is therefore assumed there will be no
	of the existing four helicork. It is the exercised share additionally
	significant impact of the SAC during the operational phase. Additionally,
	as traffic is expected to decline with the promotion of active transport, it is
	likely that pollutants entering the SAC will decrease during the operational
	phase.
	Climate
Construction Phase	There is the potential for combustion emissions from onsite machinery and
	traffic derived pollutants of $CO_2$ and $N_2O$ to be emitted during the
	construction phase of the development. As presented in Table 11.10 of the
	EIAR, RICS construction emissions factor (1,400 kgCO <sub>2</sub> eq per £100k
	project value) has been applied to the project value (€6,787,144.75 or
	approximately £6,040,558.83) to estimate total construction site GHG
	emissions as 84.57 tCO <sub>2</sub> eq. It is stated that the construction period is likely
	to be approximately 1-3 years. As a conservative approach, the estimated
	average annual construction phase GHG emissions are 84.57 tCO2eq
	This is $0.00022\%$ of Ireland's 2020 target (37.651 kt CO2eg) and $0.00026\%$
	of the 2020 target (22.860 kt CO2eq) and therefore, construction phase
	CHC emissions are considered negligible and net cignificant
Operational Phase	It is stated that there will be no traffic generated from the development, and
	it is predicted that traffic will reduce within the area due to the
	improvements to the infrastructure for active transport. Additionally, any
	energy demand will likely be from street lighting in the area. Based on the
	guidance 'Measuring Road Infrastructure Carbon: A 'critical' in transport's
	journey to net-zero' (2022), carbon emissions from street lighting accounts
	for an average of 13% of life cycle carbon emissions. The operation of the
	development is assumed to produce 137.33 tCO <sub>2</sub> eq GHG emissions over
	its life cycle.
Cumulative Effect	Construction Phase
	The phasing/commencement of any other permitted developments in the
	locality could potentially result in the scenario where other construction
	sites are in operation at the same time as the proposed development
	Sites are in operation at the same time as the proposed development.
	However, all permitted developments are expected to agree and follow site
	specific Construction Environmental Management Plans or Dust
	Management Plans and Construction Traffic Management Plans that will
	adequately control emissions from construction. Therefore, cumulative
	construction phase effects are not considered to be significant.
	Operational Phase
	As not construction phase impacts, any other normitted developments are
	As per construction phase impacts, any other permitted developments are
	expected to follow best practice mitigation measures to minimise emissions
	to air during the operational phase. Therefore, significant GHG emissions
	and exceedance of the relevant AQSs are considered unlikely and
	cumulative operational phase effects are considered not significant.

# Mitigation

9.10.6.7. Mitigation measures are summarised in Table 9.10.8 below.

# Table 9.10.8: Summary of Mitigation

Air Quality		
Construction Phase	Communications	
	<ul> <li>Develop and implement a stakeholder communications plan that includes community engagement before work commences on site.</li> <li>Display the name and contact details of people accountable for air quality and dust issues on the site boundary. This may be the environment manager/engineer or the site manager.</li> <li>Display the head or regional office contact information.</li> </ul>	
	Dust Management	
	- Develop and implement a Dust Management Plan, which may include measures to control other emissions, to be approved by the LA. The level of detail will depend on the risk and should include at a minimum the highly recommended measures. The desirable measures should be included as appropriate for the site. The CEMP may include monitoring of dust deposition, dust flux, real-time PM10 continuous monitoring and/ or visual inspections.	
	Site Management	
	<ul> <li>Record all dust and air quality complaints, identify cause(s), take appropriate measures to reduce emissions in a timely manner, and record the measures taken.</li> <li>Make the complaints log available to the LA when asked.</li> <li>Record any exceptional incidents that cause dust and/or air emissions, either on- or off site and the action taken to resolve the situation in the log book.</li> </ul>	
	- Record any exceptional incidents that cause dust and/or air emissions, either on- or off site and the action taken to resolve the situation in the log book.	
	Preparing and maintaining the site	
	<ul> <li>Plan site layout so that machinery and dust causing activities are located away from receptors, as far as is possible.</li> <li>Erect solid screens or barriers around dusty activities or the site boundary that are at least as high as any stockpiles on site.</li> <li>Fully enclose site or specific operations where there is a high potential for dust production and the site is active for an extensive period.</li> <li>Avoid site runoff of water or mud.</li> <li>Keep site fencing, barriers and scaffolding clean using wet methods.</li> <li>Remove materials that have a potential to produce dust from site as soon as possible, unless being re-used on site. If they are being re-used on-site cover as described below.</li> <li>Cover, seed or fence stockpiles to prevent wind whipping.</li> </ul>	
	Operating Vehicles/Machinery and Sustainable Travel	
	- Ensure all vehicles switch off engines when stationary - no idling	

<ul> <li>vehicles.</li> <li>Avoid the use of diesel or petrol powered generators and use mains electricity or battery powered equipment where practicable.</li> <li>Impose and signpost a maximum-speed-limit of 15mph on surfaced and 10mph on unsurfaced haul roads and work areas.</li> <li>Produce a construction logistics plan to manage the sustainable delivery of goods and materials.</li> <li>Implement a travel plan that supports and encourages sustainable travel (public transport, cycling, walking, and car-sharing).</li> </ul>
Operations
- Only use cutting grinding or sawing equipment fitted or in
<ul> <li>Only use cutting, ginning of sawing equipment inted of in conjunction with suitable dust suppression techniques such as water sprays or local extraction, e.g. suitable local exhaust ventilation systems.</li> </ul>
dust/particulate matter suppression/mitigation, using non-potable water where possible and appropriate.
- Use enclosed chutes and conveyors and covered skips.
- Minimise drop heights from conveyors, loading shovels, hoppers and other loading or handling equipment and use fine water sprays on such equipment wherever appropriate.
<ul> <li>Ensure equipment is readily available on site to clean any dry spillages and clean up spillages as soon as reasonably practicable after the event using wet cleaning methods.</li> </ul>
Waste Management
No honfires or burning of waste material
No bonnies of burning of waste material.
Specific to Demolition
<ul> <li>Soft strip inside buildings before demolition (retaining walls and windows in the rest of the building where possible, to provide a screen against dust).</li> </ul>
<ul> <li>Ensure effective water suppression is used during demolition operations.</li> </ul>
<ul> <li>Avoid explosive blasting, using appropriate manual or mechanical alternatives.</li> </ul>
<ul> <li>Bag and remove any biological debris or damp down such material before demolition.</li> </ul>
Specific to Construction
- Avoid scabbling (roughening of concrete surfaces) if possible.
- Ensure sand and other aggregates are stored in bunded areas and are not allowed to dry out, unless this is required for a particular process, in which case ensure that appropriate additional control measures are in place.
- Ensure bulk cement and other fine powder materials are delivered
in enclosed tankers and stored in silos with suitable emission control systems to prevent escape of material and overfilling during delivery.

	sealed after use and stored appropriately to prevent dust.
	Specific to Trackout
	<ul> <li>Specific to Trackout</li> <li>Use water-assisted dust sweeper(s) on the access and local roads, to remove, as necessary, any material tracked out of the site.</li> <li>Avoid any dry sweeping of large areas.</li> <li>Ensure vehicles entering and leaving sites are covered to prevent escape of materials during transport.</li> <li>Inspect on-site haul routes for integrity and instigate necessary repairs to the surface as soon as reasonably practicable.</li> <li>Record all inspections of haul routes and any subsequent action in a site log book.</li> <li>Install hard surfaced haul route, which are regularly cleaned and damped down with fixed or mobile sprinkler systems, or mobile water bowsers.</li> <li>Implement a wheel washing system (with rumble grids to dislodge accumulated dust and mud prior to leaving the site where reasonably practicable).</li> <li>Ensure there is an adequate area of hard surfaced road between the wheel wash facility and the site exit, wherever site size and layout permits.</li> <li>Access gates to be located at least 10 m from receptors where possible</li> </ul>
Operational Phase	<ul> <li><i>Exhaust Emissions from Plant and Vehicles</i></li> <li>Any emissions from non-road mobile machinery (NRMM) can be reduced by ensuring that any plant used on-site comply with the NOx, particulate matter and carbon monoxide emissions standards specified in the EU Directive 97/68/EC and subsequent amendments as a minimum, where they have net power of between 37kW and 560kW. The emissions standards vary depending on the net power the engine produces. The Construction Environmental Management Plan will include these emissions controls.</li> <li>It is considered unlikely that the development would introduce additional sensitive receptors into an area of known poor air quality and the</li> </ul>
	development is not anticipated to have a significant impact on local air quality. Therefore, no specific operational phase mitigation measures are considered to be required.
	Climate
It is indicated that the C change during construction are	CEMP should set out measures to mitigate the potential impacts of climate ction. These include measures related to increased flood risk, overheating ployees and equipment, potential for water shortages and dust mitigation.
TISKS to CONSTRUCTION EM	proyees and equipment, potential for water shortages and dust mitigation.

9.10.6.8. In terms of construction phase monitoring, it is stated that the appointed contractor will be required to monitor levels of dust during critical construction periods at nearby sensitive locations and/or development site boundaries. No additional monitoring is proposed for the operational phase of the proposed development.

#### Residual Effects

9.10.6.9. Section 11.87 -11.88 of the EIAR notes that no negative residual impacts in the context of air quality and climate are anticipated regarding the proposed development.

#### Assessment / Conclusion

- 9.10.6.10. I have examined, analysed and evaluated Chapter 11 of the EIAR and the associated appendices. Overall, I am satisfied that the information submitted in the EIAR adequately demonstrates an understanding of the potential impacts and provides a suitably comprehensive range of mitigation measures to reduce any potential impacts. Whilst I note that detailed information has not been provided regarding the competency of the person/persons who prepared this chapter (i.e. Statement of Authority (Section 10.6)), this appears to be an accidental omission, and adequate information has been provided in Chapter 2 of the EIAR.
- 9.10.6.11. Given the location of the subject site within a central urban area, it is noted that sensitive receptors are both the inhabitants and visitors to the area. However, it has been demonstrated that the risk of dust impacts on human health during the construction phase has been identified as ranging from negligible to low. The extent of demolition works across the site is minimal and relates to the removal of the existing toilet block in George's Square and a section of the existing boundary wall to provide direct access from Father Connolly Way to the new Abbey Square. In addition, the proposed works relate to public realm upgrades and the extent of earthworks and excavation across the site is limited. In terms of ecological receptors, the location of the site relative to the River Boyne (SAC) has been identified, where the risk of dust impacts has been identified as high. Notwithstanding this, I am satisfied that the impacts can be avoided through strict adherence with the mitigation measures outlined above.
- 9.10.6.12. It is acknowledged that there is the potential for combustion emissions from onsite machinery and traffic derived pollutants of CO<sub>2</sub> and N<sub>2</sub>O to be emitted during the construction phase of the proposed development. However, noting the size and duration of the construction phase, the predicted traffic movements and the mitigation measures proposed, I would agree with the Applicant that the effect on national GHG

emissions will be insignificant, and the proposed development will have no considerable impact on climate. In addition, emissions to air from traffic within the site will be negligible once operational and I note that the proposed development promotes active travel through the provision of cycle infrastructure and the creation of pedestrian connections. In addition, the level of car parking to be provided on site has been reduced overall which promotes a shift away from private vehicle trips. Having regard to the foregoing, I am satisfied that subject development will not give rise to significant direct, indirect, or cumulative effects on air quality and climate subject to compliance with the proposed mitigation measures and suitable conditions.

#### Noise and Vibration

#### 9.10.7. Issues Raised

9.10.7.1. No issues are raised by parties to the application in respect of Noise or Vibration.

# 9.10.8. Examination, analysis and evaluation

#### Context

- 9.10.8.1. Chapter 11 of the EIAR includes a description of the receiving ambient noise climate in the vicinity of the application site, an assessment of the potential noise and vibration impacts associated with the proposed development during both the short-term construction phase and the long-term operational phase on its surrounding environment. The assessment of direct, indirect and cumulative noise and vibration impacts on the surrounding environment has also been considered as part of the assessment. During the construction phase, it is stated that the range of activities with potential to generate noise and vibration emissions to off-site sensitive receptors will include site preparation works, construction of the proposed development, landscaping and erection of any temporary buildings/compounds that may be required. During the operational phase, the potential sources of noise are those associated with traffic on public roads, noise from recreational activity and car parking.
- 9.10.8.2. In terms of the methodology, a review of relevant standards and guidelines has been conducted to set noise and vibration criteria for the development's construction and operational phases. In addition, baseline noise monitoring was undertaken to characterise the receiving noise environment. It is indicated that the closest

neighbouring Noise Sensitive Locations (NSLs) to the proposed development are a number of residential dwellings which surround the site at various points. The distance between the construction site and nearby NSLs varies, with the closest distance between the site and neighbouring dwellings being approximately 10m, but generally construction works will occur between 15 and 100m from existing dwellings, depending on the location where specific works are occurring. Taking account of the measured ambient noise levels, other LA recommendations (LCC Noise Action Plan 2018 to 2023 (NAP)) and BS5228 significance thresholds, the recommended noise limits for construction activity are as follows:

- Monday to Friday 07.00 18.00 70 dB LAeq, 11hr, and,
- Saturday  $08.00 14.00\ 70\ dB_{LAeq,6hr}$ .

It is assumed that construction works will take place during normal working hours only. I note that the potential noise impact associated with the proposed development, including the introducing of additional traffic onto the existing road networks during the operation stage has been considered.

9.10.8.3. In terms of vibration, BS 5228-2:2009+A1:2014 recommends that, for soundly constructed residential property and similar structures that are generally in good repair, a threshold for minor or cosmetic (i.e. non-structural) damage should be taken as a peak component particle velocity (in frequency range of predominant pulse) of 15mm/s at 4Hz increasing to 20mm/s at 15Hz and 50mm/s at 40Hz and above. The standard also notes that below 12.5 mm/s PPV, the risk of damage tends to be zero. The recommended construction vibration criteria are presented in Table 12.3 of the EIAR. No significant sources of vibration are expected to arise during the operational phase of the development. Operational vibration has therefore not been addressed further in this chapter.

# Baseline

- 9.10.8.4. In total, 5 no. Noise Monitoring Locations (NMLs) surrounding the site were selected for the noise survey and each of these locations are described in turn below:
  - NML1: Along the St. Patrickswell Lane to the east of the site, immediately adjacent to Drogheda Court House.
  - NML2: Along the Old Abbey Lane within the central area of the site where a

community space is proposed.

- NML3: Along the Scholes Lane at a central north position of the site.
- NML4: To the North of the site immediately adjacent the Fair Street road.
- NML5: To the west of the site immediately adjacent the George's Street road.
- 9.10.8.5. Daytime attended noise measurements were conducted between 11:50hrs on Friday 8<sup>th</sup> April 2022 to 16:51hrs on Friday 8<sup>th</sup> April 2022. The weather during the daytime survey was dry and calm with temperatures in the range 4 to 9 degrees, wind speeds of <2 m/s in a north westerly direction. Measurements were made using a Rion NL 52 Sound Level Meter. Sample periods were 15-minute log periods. The instrumentation was calibrated using a Rion calibrator and all equipment was laboratory calibrated. Recorded daytime ambient noise levels and background noise levels are presented for each of the NMLs.</p>

#### Potential Effects

9.10.8.6. Potential significant effects of the development, as identified in the EIAR, are summarised in Table 9.10.9 below.

	,				
Do Nothing		The existing noise cl noise sensitive location	limate will remair ons. As such it is	unchanged on santicipated that the	site and at nearby ne effects from the
		Do-Nothing scenario significance.	would be neutra	al with a perman	ent, imperceptible
Construction Noise	Phase	During the construction phase, the main site activities will include site clearance, demolition, ground works, construction of the new structures, resurfacing of public realm/footpaths/road surfaces, landscaping and etc. Potential impacts during the construction phase will be short term. Table 12.12 of the EIAR presents construction plant items that are considered to be typical for a site of this nature, along with the BS5228-1 reference noise emission values at the nominal distance of 10 metres.			
		The closest works a nearest properties with at varying distances. i.e. paving when occ this is expected to summarises the cons	trea is likely to b th the remainder of Occasionally som curring outside of be only for sh struction noise pre	be approximately of works taking pla ne works may occ noise sensitive h ort periods. Tab edictions.	10-15m from the ace across the site ur closer than 10m ocations, however le 9.10.10 below
		Table 9.10.10			
		Construction Phase	dB(L <sub>Aeq,11hr</sub> ) @15m	dB(L <sub>Aeq,11hr</sub> ) @30m	dB(L <sub>Aeq,11hr</sub> ) @100m

Table 9.10.9: Summary of Potential Effects

		Site Preparation	71	64	52
		Demolition	73	66	54
		General	74	67	56
		Construction			
		Landscaping	69	63	51
Construction	Phase	With consideration o	f the distance fron	n site boundaries	to nearby sensitive
Vibration		receptors, and prop	osed general met	hods of construct	tion, it is projected
		that vibration emiss	ions to nearby re	ceptors will not a	cause structural or
		cosmetic damage to	any nearby build	ngs.	
		Vibration omissions	from construction	worke occurring	n close to the site
		boundaries may be	such that vibratio	n is perceptible a	t nearby dwellings
		and may lead to res	idential complaint.	Mitigation measu	ures are presented
		in the relevant se	ctions of this de	ocument in orde	er to ensure that
		construction vibratio	n emissions are a	dequately monito	red and controlled.
Operational	Phase	Additional Road Tra	ffic Noise on Publ	ic Roads	
Noise		Information provided	d by the traffic co	nsultant was use	d to determine the
		predicted change in	noise levels in the	vicinity of the adja	acent road network
		along with traffic that	at will travel to an	d from the site.	Traffic data for the
		following scenarios h	has been reviewed	d in preparing this	assessment:
		- Existing Tra	affic 2022 (Survey	ed Year);	
		- Future Traff	fic 2027 (+ 5 years	s), and;	
		- Future Han	10 2039 (+ 15 162	lis).	
		As ner Tables 12 14	and 12 15 of the F	IAR the calculate	d increase in noise
		level on all roads is l	ess than 2dB and	confirms that this	calculated change
		in noise level is 'Neg	ligible' and the as	sociated impact is	s 'Not Significant'.
					Ū
		Recreational/Pedest	trian Noise from th	e Proposed Site	Operation
		A review of propertie	es in the area has	s highlighted the	following dwellings
		that may be impacte	d upon by the ope	ration of the prop	osed development:
		<ul> <li>Potential dw</li> </ul>	ellings at first/sec	ond Floor along V	Vest Street that are
		approximate	ely 15m from the p	roposed new Abb	bey Square area of
		the site.	the West of Co	orgo'o Stroot og	accord from Toro
		- Dweinings to Street/Mill I	ane that are and	vorge's Street, ad	from the proposed
		new sloped	walkway	John atery John	nom the proposed
		- Dwellings a	lona Georae's Str	eet/Fair Street/Fa	air Green, that are
		approximate	ely 15m from the p	proposed new ex	ternal terrace area
		in this section	on of the site.	•	
		Activity at Abbey Sq	uare, along the ne	ew sloped walkwa	ay and within other
		external walkway/ter	race areas is antic	cipated to take pla	ce during daytime,
		evening and weeke	end periods. The	noise impact of	the proposed site
		operation is not exp	vected to be signif	icant, given the	aistance to nearby
		these areas Operation	onal phase poise	any uayume amb	e site are expected
		to comply with the	Davtime (07.00 to	23:00hrs) noise	e criteria of 50 dR
		L <sub>Aeg.1hr</sub> at nearby dwe	ellings. It is stated	that a noise man	agement plan shall
		be prepared and im	plemented by the	e site operator to	ensure that noise
		emissions from act	tivity within Abbe	y Square, along	g the new sloped

	walkway and within other external walkway/terrace areas does not generate a noise nuisance to nearby noise sensitive locations.
Cumulative Effect	It is stated that the phasing/commencement of any other permitted developments in the locality could potentially result in the scenario where a number of other construction sites are in operation at the same time as the proposed development. However, the location of any cumulative construction sites in relation to each other and to nearby noise sensitive locations, means that there is minimal risk of cumulative construction noise emissions resulting in an exceedance of the relevant criteria.
	In terms of the operational phase, the location of the proposed development site in relation to nearby NSLs and the distance from the proposed development site in relation to other nearby lands means that there is minimal risk of cumulative operational phase noise emissions resulting in an exceedance of the relevant criteria. Therefore, no additional mitigation measures are therefore required.

# Mitigation

# 9.10.8.7. Mitigation measures are summarised in Table 9.10.11 below.

# Table 9.10.11: Summary of Mitigation

Construction Phase	The following mitigation measures are required during the construction of
	the proposed development:
	- Where practical, use of a site hoarding, minimum height of 2m,
	where the distance of works is 30m or less to nearby noise
	sensitive locations; and,
	- Limiting the hours of construction to the following: Monday to
	Friday 07.00 – 19.00 & Saturday 07.00 – 13.00.
	In exceptional circumstances, and subject to agreement with the LA.
	extended hours of operation may be applied for. In such instances an
	assessment of potential noise impacts shall be carried out in advance of
	works taking place, and submitted to the LA, as part of the extended hours
	request.
Operational Phase	Additional Road Traffic Noise on Public Roads
	During the operational phase of the development, it is stated that noise
	mitigation measures with respect to the traffic from the development are
	not deemed necessary.
	Recreational/Pedestrian Noise from the Proposed Site Operation
	During the operational phase of the development, it is stated that noise
	mitigation measures with respect to noise on site are not deemed
	necessary. However, a noise management plan shall be prepared and
	implemented by the site operator to ensure that noise emissions from
	activity within Abbey Square, along the new sloped walkway and within
	other external walkway/terrace areas does not generate a noise nuisance
	to nearby noise sensitive locations.
Monitoring	It is stated that the appointed contractor shall monitor levels of noise and

vibration at the closest NSLs to the proposed site during the development's
construction phase.

# Residual Effects

9.10.8.8. During the construction phase of the project, it is acknowledged that there will be some negative impact on nearby NSLs due to noise/vibration emissions from construction activity. However, the implementation of suitable control measures will ensure that the impact is minimised and the residual impact from construction is negative, of moderate significance and of a short term duration. In terms of the operational phase, residual impact from construction is neutral, not significant and of a permanent duration.

# Assessment / Conclusion

- 9.10.8.9. I have examined, analysed and evaluated Chapter 12 of the EIAR and all of the associated documentation and submissions on file in respect of noise and vibration. I have inspected the application site and the surrounding area. In addition, I have had regard to the policy outlined in the current Plan (2021-2027). Having regard to the totality of the documentation on file, I am generally satisfied that the information submitted in the EIAR adequately demonstrates an understanding of the potential impacts of the proposed project on noise and vibration. Whilst I note that the results of baseline noise survey are somewhat limited given it was taken over a c. 5 hour period on a single day (i.e. Friday 8<sup>th</sup> April), I am conscious of the limited nature of the demolition/construction works and the urban location of the subject site. Overall, I am satisfied that a restriction on the hours of construction will ensure that the residential amenity of properties within the vicinity of the site will not be unduly compromised. However, in the event the LA seek to a deviate from the permitted hours of construction, a condition should be included which requires the LA to keep a formal record of each deviation on the public file so to ensure that residents are adequately informed.
- 9.10.8.10. I note that there is also recommendation for the site operator to prepare and implement a Noise Management Plan (NMP) to ensure that noise emissions from activity within certain areas of the site does not generate a noise nuisance to nearby noise sensitive locations. Key features of the proposed development are the creation of cultural spaces that can be utilised for various events. These include:

- A new shared surface treatment to the front of Barlow House with a level profile to provide a flexible space that can act as a new 'cultural' square and accommodate evening and/or weekend events.
- A new freestanding Corten steel canopy will be constructed within the remains of the Old Abbey to create a flexible and covered outdoor space which can be used for a variety of culture, arts and community events/performances, and,
- A new freestanding Corten steel pavilion to be erected over a new hard landscaped promenade area to provide a bespoke piece of urban architecture in the area and create a new covered and flexible outdoor space which can be used for a variety of social and cultural uses/events.

As the proposed development will transform a number of areas within the site into cultural spaces, there is the potential for noise impacts associated with cultural events of that nature. Therefore, it is my view that a condition should be included which requires the preparation of a detailed NMP to be prepared by a suitably qualified acoustic consultant. The NMP shall have specific regard to the use of these cultural spaces and shall provide a suite of suitable recommendations that should be adhered to and shall guide future operators to ensure the amenity of the existing residences is preserved. A record of same shall be placed on the public file. Subject to compliance with the proposed mitigation measures and monitoring discussed above, I am satisfied that the subject development will not give rise to significant direct, indirect, or cumulative effects.

# 9.11. Material Assets, Cultural Heritage and the Landscape Material Assets (Waste)

- 9.11.1. Issues Raised
- 9.11.1.1. No issues are raised by parties to the application in respect of waste.

# 9.11.2. Examination, analysis and evaluation

Context

9.11.2.1. Chapter 13 of the EIAR seeks to identify and assess waste impacts associated with the proposed development and includes a description of the type of waste to be generated from the development during both the short-term construction and demolition phase and the long-term operational phase. The chapter also identifies

mitigation measures to ensure that the proposed development is constructed and operated in an environmentally sustainable manner.

- 9.11.2.2. In terms of the methodology, a desk study was carried out which included the following tasks:
  - Review of applicable policy and legislation which creates the legal framework for resource and waste management in Ireland,
  - Description of the typical waste materials that will be generated during the construction and operational phases; and
  - Identification of mitigation measures to prevent waste generation and promote management of waste in accordance with the waste hierarchy.

# Baseline

- 9.11.2.3. In terms of waste management, the receiving environment is defined by Louth County Council as the LA responsible for measuring and administering waste management activities in the Westgate area. In terms of physical waste infrastructure, the LA no longer operate any municipal waste landfill in their respective areas. There are numerous waste and licensed facilities located in the Eastern-Midlands Waste Region for management of waste from the construction industry as well as municipal sources. These include soil recovery facilities, inert C&D waste facilities, hazardous waste treatment facilities, municipal waste landfills, material recovery facilities, waste transfer stations and waste-to-energy facilities.
- 9.11.2.4. There will be some demolition required including the demolition of the existing public toilet block at George's Square, a 21.8m section of wall located between Old Abbey Lane and Father Connolly Way, and a 37.1m section of wall located between Dominic Street and the Dominic Street car park. There is a minimal amount of waste expected to be generated on the site with the removal of some assumed hardstanding surfacing in areas. During the construction phase, from surplus materials such as broken or offcuts of timber, plasterboard, concrete, tiles, bricks, etc. Waste from packaging (cardboard, plastic, timber) and oversupply of materials may also be generated. It is stated that the construction contractor will be required to ensure that oversupply of materials is kept to a minimum and opportunities for reuse of suitable materials is

maximised. In addition, excavations will be required to facilitate construction. The main non-hazardous and hazardous waste streams that are likely to be generated by the removal of existing hardstanding on site, site preparation and construction activities at site are shown in the Table 13.1 of the EIAR. Any identified contaminated material will be required to be removed from site for treatment or disposal as appropriate.

9.11.2.5. The proposed development will give rise to a variety of waste streams when the development is completed. Table 13.2 of the EIAR summaries the various waste streams and the anticipated management strategy to be used for typical wastes to be generated at this type of development.

# Potential Effects

9.11.2.6. Potential significant effects of the development, as identified in the EIAR, are summarised in Table 9.11.1 below.

Do Nothing	If the proposed development was not to go ahead there would be no
	demolition or construction waste and existing operational waste generation
	would remain unchanged at the site.
Construction Phase	The construction stages of the project (which includes preparation) will
	generate a range of non-hazardous and hazardous waste materials from
	which there is a risk of potential impact. However, the potential impacts on
	the environment from waste generation during the construction phase are
	expected to be likely, negative, short term and not significant.
Operational Phase	The nature of the proposed development means that the generation of waste materials during the operational phase is an unavoidable impact. Operational Waste is already being produced within the public realms of this site. Networks of waste collection, treatment, recovery and disposal infrastructure are in place in the region to manage waste efficiently from this type of development. Waste which is not suitable for recycling is typically sent for energy recovery. There are also facilities in the region for segregation of municipal recyclables which is typically exported for conversion in recycled products. The waste materials generated on a daily basis will be stored in dedicated waste storage area(s) and/or public street bin containers. It is stated that the mitigation measures outlined below will
	ensure no significant negative environmental impacts will occur.
Cumulative Effect	Should construction of nearby sites coincide with construction of the proposed development, this could result in a general increase in construction waste generation in the wider Westgate area. However, there will be sufficient capacity in the local waste collection and disposal network to ensure that all construction waste is removed from site and disposed of in an environmentally sustainable and responsibly manner. In the event that the local waste capacity is stretched, where necessary, appropriate

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waste management facilities outside the local area will be considered. In
terms of the operational phase, it is stated that the development of the
proposed site along with other developments is capable of having in-
combination effects could potentially result in a general increase in
operational waste generation in the wider Westgate area.

# Mitigation

9.11.2.7. Mitigation measures are summarised in Table 9.11.2 below.

Construction Phase	Adherence to the waste hierarchy (prevention, minimisation, reuse,
	recycling, recovery and disposal of waste material generated during the
	construction and demolition phases of the proposed development) will be
	implemented. The following mitigation measures will be put in place:
	- Onsite segregation of waste materials into concrete, rubble,
	Plasterboard, metals, glass and timber.
	<ul> <li>Any hazardous wastes produced will be stored separately.</li> </ul>
	- All waste materials will be stored in skips or other suitable
	receptacles and appropriately labelled.
	- Reuse of left-over materials where possible (e.g. timber off cuts,
	broken concrete)
	- A waste manager/site representative will be appointed to ensure
	waste management procedures are followed.
	- All waste leaving the site will be reused, recycled or recovered,
	where possible.
	- All waste leaving the site will be recorded and accounted for with
	all relevant documentation maintained.
Operational Phase	All waste materials will be segregated into appropriate receptacles and
	stored in appropriate bin containers throughout the regeneration project
	area. The following mitigation methods will be put in place:
	- The segregation of waste materials including Organics, dry mixed
	recycling, mixed non-recycling, glass, WEEE and cleaning
	chemicals.
	- All wastes will be stored in appropriate containers and colour
	coded.
	- All applicable waste leaving the area will be reused, recycled or
	recovered where possible.
	- All waste leaving the site will be transported by suitable permitted
	contractors and taken to suitably registered, permitted or licensed
	facilities.
	- All waste leaving the site will be recorded and copies of relevant
	documentation maintained.
Monitoring	During the construction phases of the development, all waste generation
	volumes should be calculated, recorded and compared to the targets
	outlined. A competent and trained waste manager/site representative
	should be appointed, and it shall be their responsibility to monitor and track
	the waste volumes being generated. It is also their responsibility to ensure

#### Table 9.11.2: Summary of Mitigation

that all contractors and sub-contractors are segregating waste as required. All waste generation volumes during the operational phase should also be

### Residual Effects

9.11.2.8. Implementation and adherence to the waste strategy will ensure that waste generated during the construction phase of the project will be managed in accordance with best practice and relevant legislation. Provided the mitigation measures outlined are followed, the residual effect of the construction phase on the environment will be likely, negative, short term and not significant. During the operational phase, a structured approach to waste management as set out in this waste strategy will promote resource efficiency and waste minimisation. Subject to compliance with the mitigation, the predicted impact on the environment will be likely, negative, long-term and not significant.

# Assessment / Conclusion

9.11.2.9. I have examined, analysed and evaluated Chapter 13 of the EIAR and all of the associated documentation and submissions on file in respect of waste. I have inspected the application site and the surrounding area. In addition, I have had regard to the policy outlined in the current Plan (2021-2027). It is considered that a carefully planned approach to waste management and adherence to a Site Waste Management Plan (SWMP) during the construction phase will ensure that the waste effects on the environment will not be significant. As it is not detailed as a specific mitigation measure, it is therefore recommended that a condition be included which requires the preparation and implementation of a SWMP and a record of same shall be placed on the public file prior to the commencement of development. Overall, I am satisfied that subject to implementation of the mitigation measures and compliance with appropriate conditions, there will be no significant direct, indirect or cumulative effects on material assets (waste) arising from the proposed development.

# Material Assets (Traffic & Transportation)

#### 9.11.3. Issues Raised

- 9.11.3.1. A number of issues/concerns were raised within the Public Submissions and are summarised as follows:
  - It is highlighted that unrestricted vehicular access is of critical importance to the operation of the service An Post provide and any limitations in this regard can

have a serious knock on impact on the ability to meet the postal needs of the public and service their legal agreements with the State.

- Concerns raised with respect to the loss of coach parking and car parking spaces across the site.
- A covered bus stop should be provided on George's Square.
- Issues raised within the RSA regarding bicycle infrastructure that has not been addressed.
- The development should facilitate access to the Boyne Greenway
- Concerns raised regarding the provision of bicycle parking within the site.

# 9.11.4. Examination, analysis and evaluation

Context

- 9.11.4.1. Chapter 14 (Material Assets (Traffic & Transportation)) of the EIAR seeks to identify and assess potential traffic and transportation related impacts associated with the proposed project. The chapter assesses how the proposed works will impact the surrounding road network and considers appropriate access arrangements and the transport choices available to future users of the area and how the existing/proposed transport infrastructure surrounding the site will influence those choices. The aim of this assessment is to:
  - Identify the characteristics of the application site and surrounding area;
  - Examine the likely traffic and transport implications; and,
  - Ensure sustainable accessibility is maximised and appropriate infrastructure provided.
- 9.11.4.2. In terms of the methodology, the chapter is prepared based on Transport Infrastructure Ireland's Traffic and Transportation Assessment Guidelines 2014 and assesses the impact of the proposals on the street network during the construction and operational stages. It is stated that the Design Team, have engaged with Transport Infrastructure Ireland (TII) and various departments within LCC with a view to considering the respective issues raised as part of the design process of the scheme. These engagements have informed the final layout of the scheme including access arrangements for vehicular, pedestrian and cycle modes of transport.

#### Baseline

- 9.11.4.3. In terms of the receiving environment, the subject site is located primarily to the east of the R132, St. Georges Square and the Bridge of Peace and currently comprises of a mixture of land uses, ranging from retail and commercial premises along Narrow West Street to the Garda Station and Court House off Father Connolly Way and includes various car parks. The area currently generates traffic related to its land uses and also through traffic along Narrow West Street. Access to the application site is primarily via the R132 St Georges Square with vehicular access also achieved via Wellington Quay, the R900 Fair Street / Narrow West Street. A number of internal streets form the subject area which include Father Connolly Way, Dominick Street and St. Patrickswell Lane to the south of Narrow West Street and a pedestrian only street consisting of Old Abbey Lane and Scholes Lane. Pedestrian and cycle access is also achieved via St. Dominic's Bridge which connects the area to the R132 Georges Street, south of the River Boyne. A description of each street is provided in Section Nos. 14.16-14.24 of the EIAR.
- 9.11.4.4. In terms of existing public transport facilities, the area is served by a north-bound and south-bound bus stop on the R132/George's Square, on the west side of the subject site. The bus stop is served by a number of bus services in both directions, the details of which are provided in Table 14.1 of the EIAR. Drogheda Rail Station is located to the south-east of the site and the station services trains running between Dublin and Dundalk and onward to Northern Ireland. As well as intercity train services, there are also commuter services running from the station.
- 9.11.4.5. It is noted that there is a good level of pedestrian facilities in the area, connecting to the town centre and surrounding areas, whereby pedestrian footpaths run along all the major streets. However, there are no dedicated cycle facilities currently within the study area other than the provision the Dominic's Bridge which offers pedestrian and cycle connectivity with the southern side of the River Boyne and to the bus and rail station. Walking and cycling catchment areas from the site based on 10-20 minute journey times have been plotted in Figures 14.2 and 14.3 of the EIAR.
- 9.11.4.6. A number of traffic surveys were undertaken on behalf of the LA to inform the traffic impact of the proposals. Traffic counts and parking surveys were carried out in
February and March 2022. The traffic counts were carried out to establish junction and link flows during both the peak hour periods and on an all-day basis, the results of which are illustrated in Table 14.2 and 14.3 of the EIAR. A parking survey of the main car parking areas within the study area was also undertaken in order to establish the parking demand within the area. In addition, an on-street parking beat survey was undertaken within the study area for a 12-hour period (07.00-19.00) period on a neutral weekday and summarised by 30-minute time intervals, the results of which are illustrated in Table 14.4 and 14.5 of the EIAR.

#### Potential Effects

9.11.4.7. Potential significant effects of the development, as identified in the EIAR, are summarised in Table 9.11.3 below.

If nothing is done to create a more dynamic public realm across the town
centre, it is stated that the area will remain the same and the quality of life
for visitors and residents of the town will continue to be negatively impacted
by the hostile environmental impacts from unrestrained traffic through the
town.
During the construction phases, some level of impact will be experienced locally on the road network and surrounding area, to include for temporary closures of section of roads to enable removal of existing street furniture, ground works, importing and exporting of materials, storage of material close to the site, etc.
It is noted that a pCEMP has been prepared and is submitted as part of the planning application which details the scope of the site works and processes. In addition, it is stated that a Construction Stage Temporary Traffic Management Plan will be developed, including the identified haulage routes and will be developed in consultation with the LA. It is stated that the construction phase may have minimal localised effects in relation to traffic and environmental impacts, but these will only be experienced for brief periods (occasional few hours or day) to enable the movement of material, etc.
<ul> <li>The access strategy for the area recognises the opportunities to encourage the use of sustainable modes of travel by: <ul> <li>Promoting cycling and walking as viable sustainable transport modes for all members of the community; and</li> <li>Providing, where possible, traffic free pedestrian and cycle routes, especially where they would facilitate more direct, safer, and pleasant alternatives to those used by the private car.</li> </ul> </li> <li>The proposed development, with urban realm and street network improvements comprise.</li> </ul>

 Table 9.11.3: Summary of Potential Effects

<ul> <li>Improvements to the Georges Square area (to incorporate the proposed Active Travel Schemes for the wider Drogheda area); and</li> <li>Street and laneway improvements in Narrow West Street, Scholes Lane, Father Connolly Way areas.</li> </ul>
The creation of a high-quality pedestrian and cycle network through the Westgate area is a key objective for the scheme, with footpath widths varying from a minimum width of 2m. A plaza area has been provided to the west of the R132 in Georges Square and other plaza areas and footpaths (where width is sufficient) will feature street furniture to encourage people to stay within these pedestrian areas. Pedestrian crossing points have been provided throughout the scheme to coincide with pedestrian desire lines identified by the design team. Full details of public realm works proposed within George's Square and Father Connolly Way / Dominick Street / St. Patrickswell Lane in Section Nos. 14.56 – 14.65 of the EIAR. In summary, it is contended that the proposed scheme will have a positive environmental impact in relation to providing good pedestrian and cycle connectivity through the area and providing safe connects to the wider area. No traffic impacts are envisaged as a result of the proposals. In addition, the enhancement of the existing riverbank will have positive effects for the area and long-term benefits as it will encourage a positive travel behaviour in terms of cycling and walking.
In terms of parking provision, it is proposed to reduce the level of car parking within the site, with spaces reallocated for urban realm and to facilitate walking and cycling to/from and within the site. A total of 9 no. on- street car parking spaces will be removed from the Georges Street and Fair Street area. An additional 10 parking spaces and space for approximately 2 buses in a parking / lay-over area is to be removed from the southern side of Father Connolly Way. A further 22 on-street parking spaces along Dominick Street and Patrickswell Lane will be removed. In total, 41 car parking spaces and a bus lay-over area are to be removed from the within the study area. These have all been removed to maximise permeability of the site for walking and cycling. Full details of the existing and proposed parking spaces are provided in Table 14.6 of the EIAR.
For servicing, it is stated that all existing accesses to properties will be retained at their existing locations. Access roads within car parks will be realigned and have two-way traffic flow accommodated. Deliveries to the central development site will be maintained and loading bays have been provided to assist this. It is envisaged that delivery access will be required along St. Patrickswell Lane to service the various premises and the Courthouse and this will be accommodated within the shared surface area proposed for the street. However, through traffic, other than for delivery purposes, will not be encouraged to use the route.
It is noted that a Stage 1 RSA was undertaken of the proposed layout to assess user safety and to highlight potential issues requiring further consideration. All potential issues and recommendations are to be addressed by the designer and subsequently carried forward within the finalised design layout and during the construction design stage.

Cumulative Effect	Following a review of the site's planning history, it is contended that no
	planning application / decisions have been found within the red line
	boundary of the site that would inform the proposed development.
	However, it is noted that 2 no. significant Active Travel Schemes are
	proposed and will be Part 8 Approval by mid-2024. The various scheme
	will have significant positive environmental effects for the area through the
	reduction in traffic lanes and provision of more active travel facilities across
	the study area. It is also noted that the proposed realignment of George's
	Street/George's Square, has been undertaken in conjunction with the NTA
	/ LCC and the wider active travel proposals for the area. The relevant active
	travel schemes include:
	- Drogheda Dublin and North Road Cycle/Pedestrian Design
	Scheme, and,
	<ul> <li>Drogheda R132 Bridge of Peace to MacBride Train Station.</li> </ul>
	Subject to the approval of both of these developments and due to their
	direct connection to the area, it is considered that the road user experience
	will be enhanced in terms of active travel and a reduction in the volumes
	and speed of motorised traffic on the road network. If approved, the Part 8
	applications will have a direct impact on the proposed development in
	relation to reducing the level of traffic entering the area, in particular along
	the R132 and they have been considered as part of the design concept
	evolution to ensure that the 2040 Westgate Vision Regeneration
	maximises the potential to link to existing and future infrastructure where
	possible.

## Mitigation

9.11.4.8. Mitigation measures are summarised in Table 9.11.4 below.

Construction Phase	A detailed Construction Traffic Management Plan (CTMP), will incorporate the relevant traffic management measures identified in the pCEMP and will be finalised by the Contractor for the construction stage.
	The phasing of the construction works shall be outlined in the detailed CEMP prior to construction. The CEMP will be prepared by the appointed contractor and issued to the LA for agreement prior to works commencing and will be implemented for the duration of the works. Access to the approach roads and properties within the area will be maintained at all times during the construction phase. It is stated that limited night works for final surfacing and utility installation etc. may be required.
	Normal good construction and traffic management practices are to be employed and will ensure that the risk of accidents will be low.
Operational Phase	The development proposals recognise opportunities to encourage use of sustainable modes of travel by promoting and providing, where possible, traffic free pedestrian and cycle routes, especially where they would facilitate more direct, safer, and pleasant alternatives to those used by the private car. These opportunities are achieved by the: - Realignment and narrowing of the carriageway on Georges

Table 9.11.4: Summary	of	Mitigation
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Square to accommodate proposed Active Travel Schemes,
provided from the Railway Station to Rosehill Roundabout; and
- Creation of new urban civic spaces, streets, road junctions,
pedestrian pavements, steps, and cycle routes to encourage active
travel.
It would appear that the principal mitigation measure is a requirement to
prepare and implement an Active Travel Strategy for the proposed
development. The overarching ambition of this Active Travel Strategy is to:
Make active travel an attractive and realistic choice for short journeys in
the area. Delivering on this ambition will lead to more people walking and
cycling, contributing to the following outcomes:
- Improved health through an increase in physical activity:
- Reduced congestion on the highway network by providing better
travel choices: and.
- Safer active travel.
These outcomes will be realised by delivering a number of specified
actions.
It is stated that a detailed CTMP will operate during construction of the
proposals, and this will be monitored and amended where necessary
during the works. In terms of the operational phase, the implementation of
an Active Travel Strategy for the area, in conjunction with the proposed
schemes for the wider town, would encourage use of sustainable transport
measures during the operational phase and should relate to all future
developments in order to form part of the wider mitigation measures.

## Residual Effects

9.11.4.9. In terms of the construction phase, the proposals may have a minor short term negative impact in terms of reducing noise and air quality through the operation of construction vehicle in the area. However, it is stated that this will only be for short periods of time and shall subject to a detailed Construction Traffic Management Plan. For the operational phase, the proposed development will have a positive effect by setting a benchmark for lowering traffic levels in the town in the short, medium, and long term given the proposals will encourage prioritisation of pedestrian and cyclist travel in the town.

## Assessment / Conclusion

9.11.4.10. I have examined, analysed and evaluated Chapter 14 of the EIAR and all of the associated documentation and submissions on file in respect of traffic and transportation. I have inspected the application site and the surrounding area. In addition, I have had regard to the policy outlined in the current Plan (2021-2027). I note that the various issues raised within the public submissions have been addressed

in detail in Section 8.4 of this report (Transport, Access & Parking). Whilst the proposed development may have a minor negative impact during the construction phase, the impacts are predicted to be short term in duration and impacts will be mitigated through adherence to a detailed CTMP. I note that the CTMP will need to be submitted to and approved by the LA prior to the commencement of development, with a record of same being placed on the public file.

9.11.4.11. It is considered that the design and layout of the development will support walking and cycling and facilitate ease of access to public transport. With a shift towards non private car-based movements to and from the area being envisaged, a reduction in on street car parking is deemed to be appropriate and warranted in this instance. Future traffic growth predictions have been undertaken for the area and surrounding area. However, these represent a worst-case scenario situation only and the future traffic predictions are based on the current traffic behaviour in the area. I would agree with the Applicant that the enhanced connectivity for sustainable modes of travel and the delivery of the Active Travel Scheme around the town centre will likely result in a significant reduction in the level of traffic to and through the area. Having regard to the nature of the proposed development, the totality of the documentation on file, including the public submissions, it is considered that this Chapter adequately demonstrates an understanding of the potential impact of the proposed development will not give rise to significant direct, indirect, or cumulative effects.

## Material Assets (Site Services)

#### 9.11.5. Issues Raised

9.11.5.1. No issues are raised by parties to the application in respect of site services.

## 9.11.6. Examination, analysis and evaluation

Context

9.11.6.1. Chapter 15 (Material Assets (Site Services)) of the EIAR deals with the 'Site Services' element of Material Assets. Other elements of material assets including 'Waste' and 'Traffic & Transportation' have been addressed in Chapters 13 and 14 of the EIAR. The chapter describes the baseline/receiving environment under the following

headings:

- Surface Water Drainage.
- Wastewater Drainage.
- Water Supply.
- Electricity.
- Telecommunications.
- Gas.
- Lighting.
- 9.11.6.2. In terms of the methodology, the primary approach involved conducting a comprehensive desktop study. In addition, a Utility Mapping Surveying was procured and provided for the Westgate area so that site services could be mapped more accurately, and information could become available for other services for which maps are not typically issued. The utility mapping survey used a combination of ground penetrating radar (GPR) scanning and physical surveying of access covers at surface level to produce a comprehensive baseline site services survey. The Utility Mapping Survey has been included within Appendix 15.1 of the EIAR.

#### Baseline

9.11.6.3. The baseline environment is summarised in Table 9.11.5 below.

Wastewater	Foul drains are present along all of the major roadways within the site area, including Fair Street, West Street, George's Street, Dominic Street, Father Connolly Way and St Patrickswell Lane.
	A large diameter foul sewer, estimated 750mm diameter, is laid along West Street, through 'The Abbey' and then along St Patrickswell Lane.
	The various foul networks within the site area generally fall as per the site topography from the northwest to southeast direction. The foul sewers combine at a manhole at the junction of Dominic Street and Father Connolly Way, with the trunk outlet pipeline heading towards Wellington Quay.
Water Supply	Water supply pressure mains are present along all of the major roadways within the site area, including Fair Street, West Street, George's Street, Dominic Street, Father Connolly Way and St Patrickswell Lane.
	The main concentration of the watermains is within the major trunk roads i.e. George's Street, Fair Street and West Street.
	A single watermain is shown to be laid along Father Connolly Way in the northern footpath from the junction of West Street to the junction with

Table 9.11.5: Baseline

	Dominic Street.
Surface Water	There is a dedicated surface water pipeline that extends from St. Patrickswell Lane and discharges to the River Boyne beside the car park at the junction of Father Connolly Way and Dominic Street.
	A surface water pipeline is present from the junction of George's Street and West Street.
	There are limited surface water pipelines recorded along most roads e.g. West Street, Fair Street, Dominic Street and upper section of George's Street.
Electricity	Medium voltage and low voltage power supply cables, both overhead and underground, are present along all of the major roadways within the site area.
	Underground power cables are shown to be laid through 'The Abbey' area from the junction with Father Connolly Way to St Patrickswell Lane.
Gas	No high pressure transmission mains are recorded within the site area.
	Medium pressure and low pressure distribution gas pipelines are present along all of the major roadways within the site area.
	A gas main is shown to run parallel to, and in close proximity, to the medieval wall.
	Gas manholes are present within the car park located at the junction of Father Connolly Way and St Patrickswell Lane.
Telecommunications	Overhead and underground telecom are present along all of the major roadways within the site area.
	Underground telecom infrastructure is shown to be laid through 'The Abbey' area from the junction with Father Connolly Way to St Patrickswell Lane.
	Fibre optic and virgin media infrastructure recorded along Dominic Street and section West Street. Infrastructure also recorded along George's Street at junction with West Street and Fair Street.
Lighting	Underground cabling for supply to traffic lights is recorded along George's Street.
	Public street lighting cabling is recorded along both footpaths at Father Connolly Way in the vicinity of the Riverfront and also at the lower section of Dominic Street.

## Potential Effects

9.11.6.4. Potential significant effects of the development, as identified in the EIAR, are summarised in Table 9.11.6 below.

Do Nothing	If the proposed project does not progress and a 'Do Nothing' scenario is
	adopted, it is expected that there will be no changes to the existing
	conditions regarding Surface Water drainage, wastewater drainage, Water
	Supply, and other utilities within and/or adjacent to the application site.
	Consequently, the current infrastructure and systems in place would
	remain unaffected, and there would be no modifications or upgrades

#### Table 9.11.6: Summary of Potential Effects

implemented to address any potential issues or future demands.		
Construction Phase		
Wastewater	The construction process may involve the need for temporary adjustments to the existing sewer system to connect the new development. This may require diverting or rerouting wastewater flows, which could temporarily affect the capacity and efficiency of the treatment facilities.	
Water Supply	Construction activities can disrupt the existing water supply system. Temporary interruptions in water service may occur as connections are made to new water connections.	
Surface Water	Excavation and construction work can alter the natural flow of surface water, impacting drainage systems and potentially increasing the risk of flooding.	
Electricity	Construction activities may require temporary disruptions or rerouting of electrical power supply. This can affect the reliability and availability of electricity to the surrounding areas during the construction phase.	
Gas	Similar to electricity, the construction process may involve temporary disruptions or adjustments to the gas supply network. This could result in temporary interruptions or rerouting of gas service to neighbouring areas.	
Telecommunications	Construction work can potentially interfere with existing telecommunications infrastructure, leading to temporary disruptions in services such as telephone, internet, and mobile connectivity.	
Lighting	The installation of new street lighting systems during the construction phase may require temporary disruptions or adjustments to existing lighting infrastructure.	
	Operational Phase	
Wastewater	Generally, the increased population and activities resulting from the town regeneration project may put additional strain on the wastewater system. The existing sewer system and treatment facilities must be capable of handling the higher volume of wastewater generated by the regenerated town.	
Water Supply	The water sources, storage facilities, and distribution networks should be capable of meeting the enhanced water requirements.	
Surface Water	Proper stormwater management strategies, such as improved drainage infrastructure and sustainable practices, should be implemented to minimize the risk of flooding, erosion, and water pollution.	
Electricity	The existing electrical grid must have sufficient capacity and resilience to meet the heightened power requirements. Upgrades, expansions, or integration of renewable energy sources may be necessary to ensure a reliable and sustainable electricity supply to the residents and businesses.	
Gas	The existing gas supply network should be capable of accommodating this higher demand without compromising safety and efficiency.	
Telecommunications	The existing network should be capable of providing reliable and high- speed connectivity to residents and businesses.	
Lighting	The installation and maintenance of street lighting systems in the regenerated town are essential for public safety and aesthetics. Proper functioning and regular upkeep of the lighting infrastructure are necessary to maintain adequate visibility and enhance the overall ambiance of the town.	
	Cumulative Effect	
Wastewater	Cumulative impacts may involve temporary disruptions to the water supply system as connections are made to new sources or storage facilities.	

	Construction activities such as excavation can impact water quality through sediment runoff and potential contamination. Cumulative impacts may result from increased water demand in the regenerated town, necessitating proper management and infrastructure upgrades to ensure a sustainable water supply.
Water Supply	Cumulative impacts may involve temporary disruptions to the water supply system as connections are made to new sources or storage facilities.
Surface Water	Cumulative impacts may include alterations to drainage patterns, increased stormwater runoff, and sediment discharge into water bodies.
Electricity	Cumulative impacts may involve temporary disruptions to the electrical supply as connections are made to new infrastructure. Construction activities can also pose risks to electrical infrastructure integrity, potentially requiring repairs or upgrades. Other impacts may result from increased electricity demand due to population growth and additional infrastructure requirements later on.
Gas	Cumulative impacts may include temporary disruptions or adjustments to the gas supply network during construction activities.
Telecommunications	Cumulative impacts may involve temporary disruptions to existing telecommunications infrastructure during construction activities.
Lighting	Cumulative impacts may include temporary disruptions or adjustments to existing lighting infrastructure during construction activities.

## Mitigation

# 9.11.6.5. The various mitigation measures proposed are summarised in Table 9.11.7.

 Table 9.11.7:
 Summary of Mitigation

Construction Phase		
Wastewater	<ul> <li>Implement sediment and erosion control measures to prevent construction-related sedimentation in nearby water bodies.</li> <li>Use temporary sediment barriers and sediment traps to contain and filter runoff from construction sites.</li> <li>Implement best management practices for construction activities near sewer lines to avoid damage and contamination.</li> <li>Implement proper storage and handling of construction materials to prevent accidental spills or leaks that could impact wastewater quality.</li> </ul>	
Water Supply	<ul> <li>Implement measures to protect water sources from construction-related contamination, such as using sediment barriers around water intake areas.</li> <li>Schedule construction activities in a way that minimizes disruption to water supply infrastructure and ensures continuous service.</li> <li>Implement erosion control measures to prevent sedimentation in water supply reservoirs or catchment areas.</li> <li>Regularly inspect and maintain water supply infrastructure to address any damage or leaks during the construction process.</li> </ul>	
Electricity	<ul> <li>Ensure that construction activities do not pose risks to existing electrical infrastructure, such as overhead power lines or substations.</li> </ul>	

	-	Follow proper safety protocols and guidelines to prevent accidents,
		such as ensuring that workers have appropriate training and
		personal protective equipment.
	-	Coordinate with electrical utility companies to safely carry out any
		necessary modifications or upgrades to the electrical grid.
	-	Minimize disruption to electrical services during construction by
		implementing temporary power supply solutions if required.
Gas	-	Identify and locate underground gas pipelines before construction
		activities commence to prevent accidental damage
	-	Coordinate with gas utility companies to ensure safe work
		practices around gas infrastructure.
	-	Implement proper excavation techniques and use equipment with
		underground utility detection canabilities to avoid damaging gas
		pipelines.
	-	Maintain proper ventilation and monitoring during construction
		activities in confined spaces where gas pipelines are present.
Telecommunications	-	Coordinate with telecommunication service providers to ensure the
		protection of existing infrastructure during construction.
	-	Implement safe digging practices to avoid damaging underground
		telecommunication cables.
	-	Establish clear communication channels between the construction
		team and telecommunication service providers to address any
		issues or concerns promptly.
	-	If necessary, provide temporary telecommunication solutions
		during construction to minimize disruptions to the community.
Lighting	-	Implement temporary lighting solutions to ensure adequate
		visibility and safety in construction areas, especially during night-
		time work.
	-	Minimize light pollution during construction by using directional
		lighting and shielding fixtures to prevent unnecessary light spillage.
	-	Coordinate with local authorities and stakeholders to ensure
		compliance with lighting regulations and community preferences.
	-	Conduct regular inspections to ensure that lighting fixtures are
		properly installed, functioning correctly, and do not pose any safety
		hazards.
	-	These measures should be aligned with local regulations and
		industry best practice.
Operational Phase		
No mitigation measures are considered necessary during the operation stage.		

9.11.6.6. Both the construction and operational stage monitoring measures are set out in Section 15.54 -15.55 of the EIAR.

## Residual Effects

9.11.6.7. It is stated within Section 15.56 that after the application of mitigation measures as prescribed, it is anticipated that residual impacts on site services will be slight.

#### Assessment / Conclusion

9.11.6.8. I have examined, analysed and evaluated Chapter 15 of the EIAR and all of the associated documentation and submissions on file in respect of material assets (site services). I have inspected the application site and the surrounding area. In addition, I have had regard to the policy outlined in the current Plan (2021-2027). Whilst I note that no mitigation measures have been proposed in relation to surface water, it is acknowledged that excavation and construction work can alter the natural flow of surface water, impacting drainage systems and potentially increasing the risk of flooding. It is confirmed elsewhere in the Chapter that proper management practices should be employed to control and redirect stormwater runoff during construction to mitigate any adverse effects on the existing surface water management systems. In addition, it is important to exercise caution and implement measures to minimize construction runoff into the existing surface water drainage system. However, I note that surface water management has been comprehensively addressed in Chapter 10 (Hydrology and Hydrogeology) of the EIAR and includes a extensive suite of mitigation measures. Having regard to the nature, the application documentation and the associated appendix, it is considered that the Chapter adequately demonstrates an understanding of the potential impact of the proposed development on material assets (site services) and I am satisfied that the subject development will not give rise to significant direct, indirect, or cumulative effects.

#### **Cultural Heritage**

#### 9.11.7. Issues Raised

9.11.7.1. Within their report on the file, it was a recommendation of the Department that a more detailed Archaeological Impact Assessment be prepared to assess any impact on archaeological remains within the overall site. In addition, it was recommended that that further consultation be undertaken with the Department so that appropriate archaeological recommendations can be made before a planning decision is taken. A number of issues have been raised in the public submissions on file regarding aspects of the proposal, including a failure of the development to highlight underwater cultural heritage.

#### 9.11.8. Examination, analysis and evaluation

#### Context

- 9.11.8.1. Chapter 16 (Cultural Heritage & Archaeology) of the EIAR provides an assessment of the baseline archaeological and cultural heritage conditions of the site and surrounding environment for the proposed development. The study determines, as far as reasonably possible from existing records, the nature of the archaeological and cultural heritage resource within the study area of the proposed development using appropriate methods of study. This Chapter has been prepared by IAC Archaeology (IAC) and their methodology comprised an initial desk-based survey of all available archaeological, historical and cartographic sources which was followed by a field inspection of the study area. The Chapter includes the following appendices:
  - Appendix 16.1 Recorded Archaeological Sites within 100m study area,
  - Appendix 16.2 Legislation Protecting the Archaeological Resource,
  - Appendix 16.3 Impact Assessment and The Cultural Heritage Resource, and,
  - Appendix 16.4 Mitigation Measures and The Cultural Heritage Resource.
- 9.11.8.2. Following the initial research, a number of statutory and voluntary bodies were consulted to gain further insight into the cultural background of the baseline environment, receiving environment and study area, as follows:
  - Department of Housing, Local Government and Heritage the Heritage Service, National Monuments and Historic Properties Section: Record of Monuments and Places; Sites and Monuments Record; Monuments in State Care Database; Preservation Orders and Register of Historic Monuments;
  - National Museum of Ireland, Irish Antiquities Division: topographical files of Ireland;
  - Louth County Council: Planning Section; and
  - Historical and Ordnance Survey Maps.

#### Baseline

9.11.8.3. The application site is predominantly located within the zone of archaeological potential for the historic town of Drogheda (LH024-041), which is a recorded monument. In addition, there are 4 no. recorded monuments either within or immediately adjoining the application site, which include:

- The Old Abbey (St. Mary d'Urso) (LH024-041011);
- The line of the medieval town walls and the site of two gates (LH024-041014-: Town defences) (As illustrated on Map 10.3 (Drogheda Town Walls) of Appendix 10 of the current Plan,
- The site of a quay (LH024-041079), and,
- LH024-041063- : House medieval.
- 9.11.8.4. The Chapter provides a detailed summary of previous archaeological fieldwork undertaken within the site and surrounding area and background information is provided regarding the prehistoric period and how it relates to the site:
  - Mesolithic Period (c. 8000-4000 BC),
  - Neolithic Period (c. 4000–2500 BC),
  - Bronze Age (c. 2500–800 BC),
  - Iron Age (c. 800 BC-AD 500),
  - Early Medieval Period (AD 500–1100),
  - Medieval Period (c. AD 1100–1600), and,
  - Post-Medieval Period (AD 1600–1800).
- 9.11.8.5. In terms of cultural heritage, a group of religious structures stand on the eastern side of Dominic Street, adjacent to the proposed development area. This comprises a Roman Catholic Church known as 'Saint Mary Magdalen's Church' and a convent building to the north, 'Saint Mary Magdalen's Dominican Convent'. Barlow House on the northern side of Narrow West Street is of considerable architectural significance as a Georgian townhouse and also served as a RIC Barracks in the Victorian Era and later a Garda Station following Independence. It now acts as an important cultural hub in the town of Drogheda, as part of the Droichead Arts Centre. An art installation known as the 'Shafts of Light', which was erected by the Drogheda Borough Council, is located immediately adjacent to Father Connolly Way, on the banks of the River Boyne, within the proposed development area. The artwork was created by a Drogheda-born artist, Ronan Halpin, and draws inspiration from the passage tomb tradition, in particular solar alignments an important element of the archaeological heritage associated with the River Boyne and its associated passage tomb tradition (now the UNESCO World Heritage Site of *Brú na Boinne*).

## **Potential Effects**

9.11.8.6. Potential significant effects of the development, as identified in the EIAR, are summarised in Table 9.11.8 below.

Do Nothing	If the proposed development were not to proceed, it is probable that the
	medieval fabric of the abbey and town walls would continue to degrade and
	diminish, making conservation and repair in the future more difficult.
Construction Phase	At the Old Abbey (St. Mary d'Urso) (LH024-041011), it is proposed to conserve and repair the upstanding walls associated with the abbey and erect a new roof, covering the area to the east of the medieval tower. Prior to the application of mitigation, it is possible that the proposed repair works and construction of the canopy may have a direct, very significant negative impact on the medieval fabric of the abbey.
	New paving will also be required throughout this area and as such, ground disturbances associated with the development may have a direct, negative and very significant impact on any buried archaeological remains along the path of Old Abbey Lane.
	It is proposed to conserve and repair the c. 70m section of medieval town wall to the east of the Bridge of Peace and construct an adjacent footpath and wooden walkway to the west of the wall, along with a water feature channel and a rainwater retention pond. Prior to the application of mitigation, it is possible that the proposed repair works and construction of the footpath, water feature channel and retention pond may have a direct, very significant negative impact on the medieval fabric of the wall and any adjacent buried archaeological remains.
	New trees and signage are proposed which will require excavations that may affect buried archaeological remains below the modern road/tarmac surface. Impacts have the potential to be direct, negative and moderate, significant or very significant, dependant on the nature, extent and significance of any such remains that are present
	The proposals seek to mark/delineate the path of the buried town wall along the northern side of the River Boyne and Father Connolly Way. This will be done with a stretch of Corten steel plate enclosed within the pavement. This is a surface treatment and no direct negative impacts are predicted on the buried remains of the wall. The Shafts of Light Sculpture will be retained within the scheme at its current location and will not be impacted by construction activities associated with the proposed development.
Operational Phase	There will be a direct significant positive impact on the site of the Old Abbey (St. Mary d'Urso) (LH024-041011), due to the fact that the medieval fabric will be conserved and repaired (as per the mitigation below) and the National Monument will be fully accessible to the public. The presence of

Table 9.11.8: Summary of Potential Effects

	the free-standing canopy will result in a slight indirect negative impact on the setting of the ruins, but this is offset by the conservation of the structure
	and its active function within a new public realm area.
	There will be a direct very significant positive impact on the c. 70m section of the medieval town walls, due to the fact that the medieval fabric will be conserved and repaired.
	There will be a direct significant positive impact on the Shafts of Light Sculpture, due to the improvement to its setting arising from the establishment of the public realm scheme.
Cumulative Effect	No cumulative impacts (from surrounding permitted or proposed developments) are predicted upon the archaeological or cultural heritage resource during the construction or operational phase any buried archaeological remains will be preserved by record.

# Mitigation

9.11.8.7. Mitigation measures are summarised in Table 9.11.9 below.

#### Table 9.11.9: Summary of Mitigation

Construction Phase	Prior to the commencement of works, a detailed measured
	photogrammetry survey will be carried out of the upstanding medieval
	fabric associated with the abbey. This will provide an accurate and
	measured record of all the existing built remains on site. All repair and
	conservation work to the Old Abbey (St. Mary d'Urso) (I H024-041011) will
	require a detailed methodology to be produced in advance of the
	development proceeding. This will be produced by a Grade 1 Conservation
	Architect. The method statement and works detailed within will require
	Architect. The method statement and works detailed within, will require
	approval under Ministerial Consent as the structure is a National
	Monument. The method statement will also clearly state how the free-
	standing roof canopy will not affect the existing built fabric and include
	measures to protect the upstanding remains from inadvertent impacts
	during construction.
	All ground disturbances relating to the resurfacing of Old Abbey Lane will
	be subject to archaeological monitoring. This will be carried out under
	Ministerial Consent, by a licence eligible archaeologist.
	Prior to the commencement of works a detailed measured photogrammetry
	survey will be carried out of the upstanding town walls. This will provide an
	accurate and measured record of all the existing built remains. All repair
	and conservation work to the wall will require a detailed methodology to be
	produced in advance of the development proceeding. This will be produced
	by a Grade 1 Conservation Architect. The method statement and works
	detailed within, will require approval under Ministerial Consent as the
	structure is a National Monument. This may also require removal of
	vegetation by a suitably gualified contractor.
	All ground disturbances (expected to be minimal) relating to the laying of

	the new footpath to the west of the wall and the insertion of a water feature channel and rainwater retention pond will be subject to archaeological monitoring. This will be carried out under Ministerial Consent, by a licence eligible archaeologist.
	All excavations within the public realm area (with the exception of re- surfacing) will be subject to archaeological monitoring under licence, as issued by the National Monuments Service of the DoHLGH. If archaeological remains are identified, further mitigation may be required, such as preservation in situ or by record. Any further mitigation will require agreement from the DoHLGH.
Operational Phase	Conservation Management Plans for the remains of the Old Abbey (St. Mary d'Urso) (LH024-041011) and the medieval town walls will be produced by a Conservation Architect and archaeologist in order to ensure that the protection of the medieval fabric and archaeology is managed throughout the use of the public realm scheme. In terms of the medieval wall, this will represent an update to the existing 2006 Conservation Plan for the walls in Drogheda.

#### Residual Effects

9.11.8.8. No negative residual impacts in the context of archaeology and cultural heritage are anticipated regarding the proposed development. There will be residual significant positive impacts on the site of the abbey and the town walls due to the fact that the monuments will form part of publicly accessible townscape.

## Assessment / Conclusion

9.11.8.9. As detailed in Section 8.2 of this report, the proposed development seeks to restore and celebrate the archaeological features within the project area, with a central focus of the scheme on the 2 no. National Monuments. Further to this, the LA have committed to archaeological preservation through adherence with the various mitigation measures. However, I note that further engagement is required with the Department prior to the commencement of development, and there should be an requirement for the LA to undertake further archaeological assessment and to prepare detailed method statements for all proposed works associated with the Recorded Monuments. As noted, I am satisfied that this matter can reasonably be addressed by way of condition, with a record of all documentation to be placed on the public file. Having examined, analysed and evaluated Chapter 16 of the EIAR and all the information provided in respect of archaeology and cultural heritage, and having regard to the public submissions and the commentary of the Department, I am satisfied that the applicant's understanding of the baseline environment, by way of desk and

site surveys, is sufficiently comprehensive and that the key impacts in respect of likely effects on archaeology and cultural heritage have been identified. Subject to compliance with appropriate conditions and the proposed mitigation measures discussed above, I am satisfied that the subject development will not give rise to significant direct, indirect, or cumulative effects.

## Architectural Heritage

#### 9.11.9. Issues Raised

9.11.9.1. Within their report on the file, the Department have raised concerns with certain aspects of the proposed development, namely the use of materials (i.e. Corten Steel) for the canopy above the Old Abbey and the scale of the raised pedestrian walkway and its impact on the upstanding remains of the Medieval Wall. In addition, concerns have been within a number of public submissions regarding the proposed palette of materials and finishes across the project area, namely the use of Corten steel and the predominant material. The extent of demolition of the existing wall along Father Connolly Way has also been questioned in a submission.

## 9.11.10. Examination, analysis and evaluation

## Context

- 9.11.10.1. Chapter 17 (Architectural Heritage) of the EIAR seeks to determine, as far as possible from visiting the site in person, examining the existing built heritage in the area, and studying the available records and surveys, the nature and significance of the architectural heritage in the area. The following outcomes are sought:
  - Understanding the background history of Drogheda, its original foundation and development through time, up to the present day.
  - An understanding of the many historic structures that remain in the development area, most of which are protected by inclusion in the Record of Protected Structures, Record of Monuments and Places, and through the establishment of Architectural Conservation Areas in the Louth County Development Plan 2021-2027.
  - Determining the impact upon the setting of the identified Architectural Heritage assets of the proposed development.
  - Suggested mitigation measures based upon the results of the above

research.

9.11.10.2. In terms of the methodology, research for this Chapter was undertaken in two phases. The first phase comprised a desk-based survey of all available historical and cartographic sources. The second phase involved a field inspection of the application site.

#### Baseline

- 9.11.10.3. It is stated within the Chapter that a detailed account of the history of Drogheda has been provided in Chapter 16 and to avoid repetition, this Chapter addresses the extant architectural heritage assets that generally post-date the beginning of the 18th Century. It is stated that the Westgate Area contains a wealth of Protected Structures, as well as many other structures that make a positive contribution to the ACAs in which they stand. The built heritage of central Drogheda has been surveyed and recorded in the National Inventory of Architectural Heritage, and many buildings in and around the application site have been included on the Record of Protected Structures (RPS). A full list of all Protected Structures (32 no. Protected Structures) in the project area is provided within Table 17.1 of the EIAR and the location of each is provided in Figure 17.2.
- 9.11.10.4. Additional protection was afforded to the heritage assets located within the project area, through the creation of three ACAs, whose boundaries include areas within the Westgate area.
  - Fair Street (i.e. No. 4 in in Map 11.1 of Appendix 11 of Volume 3 of the LCDP 2021-2027),
  - West Street and Surrounding Streets (i.e. No. 14 in Map 11.1 of Appendix 11 of Volume 3 of the LCDP 2021-2027), and,
  - Old Abbey Lane (i.e. No. 17 in Map 11.1 of Appendix 11 of Volume 3 of the LCDP 2021-2027).

A detailed photographic survey of the project area is provided in Section 17.40 of the EIAR. This is comprehensive and aims to help inform the context and understanding of the architectural heritage baseline/receiving environment.

## **Potential Effects**

9.11.10.5. Potential significant effects of the development, as identified in the EIAR, are summarised in Table 9.11.10 below.

Do Nothing	If nothing is done to create a more dynamic public realm across the
	Westgate area, the area will continue to languish and decline. The anti-
	social behaviour will continue with additional damage accruing to the
	important monuments and other notable historic structures.
	Construction Phase
The Old Abbey (St.	The proposed works at the site of the Old Abbey (St. Mary D'Urso) will
Mary D'Urso)	entail the construction of a new roof covering to the area to the east of the surviving medieval chapel tower, as well as conservation, stabilisation and repairs to the free-standing west gable to the former Abbey chapel will change the appearance and setting of these significant monuments. In both cases, the physical condition of each structure will be improved through careful conservation repairs, under the guidance of expert conservation advisors. The construction of the new roof structure will require some degree of excavation within the footprint of the original structure. These activities may have a direct, negative and very significant impact to the adjacent upstanding remains of the former priory.
	It is also to carry out conservation repairs to the historic masonry elements associated with The Old Abbey (St. Mary D'Urso). These interventions will constitute direct impacts to the ancient masonry, and have the potential to be negative, and significant. It is also proposed to carry out expert conservation repairs to the upstanding remains of the Old Abbey (St. Mary D'Urso), and the stabilisation and careful conservation repairs to the west gable from a side aisle of the chapel.
Medieval Town Walls	It is proposed to improve the physical condition and visual setting of the ancient town walls that stand along the western edge of the project area. These proposals will include the construction of hard and soft landscaping in close proximity to the ancient town walls. These activities have the potential, prior to mitigation, to have a direct, very significant negative impact on the medieval masonry fabric of the town wall. The upstanding medieval walls will receive substantial maintenance and repairs to remove vegetation and graffiti, remove modern concrete block and mass concrete infill, address structural cracking and undermining of the foundations to the wall.
Protected Structure - Barlow House	The proposals entail replacement of the paving surfaces to the public footpaths and roads to the front of Barlow House. New street furniture and public lighting will also be installed to these areas. The historic front entry stairs, front basement area and boundary railings to Barlow House will be retained and unaffected by the proposed development. No works are proposed to Barlow House itself or any of the structures or carpark to its rear. Therefore, the effect on Barlow House will not be significant.
Protected Structure - St. Mary Magdalene's Church and Convent	of Dominic Street. The proposed development will entail replacement of the paving surfaces to the public footpaths and roads to Dominic Street,

Table 9.11.10: Summary of Potential Effects

	adjacent to the church and convent. New street furniture and public lighting will also be installed to these areas. The historic boundary railings will be retained and unaffected by the proposed development. No works are proposed to St. Mary Magdalene's Church or Convent, and the effect is therefore not significant.
Group of Protected Structures in Project Area	The Westgate area contains a concentration of small scale residential and commercial structures, dating from the C17 to the early C20th. The proposals include the replacement of the paving surfaces to the public footpaths and roads, public lighting and street furniture that form the public realm within the development area. It is indicated that no examples of historic paving or street furniture has been recorded within the project area, and it is stated that no such examples of Heritage Assets will be impacted by the proposed development. In terms of the houses on Fair Street, it is noted that most have retained their historic front entrance stairs, basement areas and perimeter boundary railings and all will be unaffected by the proposed development. Therefore, the effect would not be significant.
Fair Street, West Street and Surrounding Streets, & the Old Abbey Lane ACAs	The Fair Street Architectural Conservation Area extends the full length of Fair Street, of which only the western quarter of the street is within the Westgate Project Area. In addition to a large concentration of vernacular houses on both sides of the street, the LA offices reside in the nationally significant former Cornmarket and the adjacent regionally significant former Convent of the Sisters of Charity.
	The West Street and Surrounding Streets Architectural Conservation Area includes a large proportion of the historic core of Drogheda. While there are a few large and important structure in the centre of Drogheda, the majority of the structures in this ACA consist of vernacular houses dating from the late C17th through the late C19th, most of which have been converted to commercial shops.
	The Old Abbey Lane Architectural Conservation Area covers a relatively small area however it includes the nationally significant ruins of the Old Abbey (St. Mary D'Urso) and the ancient town wall. Other than the regionally significant Barlow House, the majority of the other structures in this ACA consist of vernacular houses dating from the late C17th through the late C19th, most of which have been converted to commercial shops.
	There will be no impact to the setting or appearance of any of the structures in either of the ACAs, caused by the proposed development works. In addition, none of the historic features or boundary treatments at the Fair Street and West Street and Surrounding Streets ACA structures will be changed or altered. In terms of the Old Abbey Lane ACA section of the C19th rubble stone boundary wall forming the east edge of the north end of Father Connolly Way will be removed to allow for access from Old Abbey Lane, through to Father Connolly Way. Otherwise, no boundary treatments at the Old Abbey Lane ACA structures will be changed or altered. The effect of the proposed development will change the appearance of the
	rubble wall on Father Connolly Way, but it will greatly improve the visual and pedestrian linkage between Old Abbey Lane and the Father Connolly Way.
General Public Realm	A large concentration of historic structures can be found within the project area and are mostly in private ownership. Many of the structures suffer

Improvements	from lack of repair and chronic underinvestment. The improvements to the
	public realm included in the proposed development are intended to bring
	vitality, viability and confidence back to the area, which will see increased
	opportunities for residential living, tourism and commercial activities.
	Operational Phase
The Old Abbey (St.	A Conservation Management Plan will be produced by a suitably qualified
Mary D'Urso)	Conservation Architect and Archaeologist, to ensure the long-term
	conservation of the upstanding remains of the Old Abbey (St. Mary D'Urso
	(LH024-041011)), during its use as part of the public realm in the Westgate
	Area.
Medieval Town Walls	A Conservation Management Plan will be produced by a suitably qualified
	Conservation Architect and Archaeologist, to ensure the long-term
	conservation of the upstanding remains of the medieval town wall, during
Due te e te el	Its use as part of the public realm in the westgate Area.
Protected Structure -	The improvements to the public realm adjacent to Barlow House will enhance the appearance of its historic setting and ensuring more visitors
Dariow House	to the Arts Centre. No adverse operational effects are anticipated with
	respect to Barlow House as a result of the proposed development
Protected Structure -	The proposed development will make the area around the church and
St Mary Magdalene's	convent more attractive and accessible to residents and visitors/tourists to
Church and Convent	better experience and celebrate the rich architectural and cultural heritage
	these structures bring to the area. No adverse operational effects are
	anticipated with respect to St. Mary Magdalene's Church and Convent as
	a result of the proposed development.
Group of Protected	The proposed improvements to the public realm in the project area will
Structures in Project	have a very positive impact on this group of Protected Structures by making
Area	the area more attractive and accessible to tourists and visitors, thereby
	encouraging investment, restoration and occupancy of the derelict and
	empty structures in the area. No adverse operational effects are anticipated
	with respect to the group of Protected Structures as a result of the proposed
	development.
Fair Street, West	No adverse operational effects are anticipated as a result of the proposed
Street and Surrounding	development noting that it will make the ACAS more attractive and
Abboy Lano ACAs	colobrate the rich architectural and cultural heritage within this area
Cumulative Effect	It is highlighted that the projects and plans contained in Table 20.1 of
	Chapter 20 of Volume 2 of the EIAR were reviewed and considered for
	possible cumulative effects with the proposed development. No cumulative
	impacts (from surrounding permitted or proposed developments) are
	predicted upon the architectural heritage resource during either the
	construction or operational phases of the proposed project.

# Mitigation

# 9.11.10.6. Mitigation measures are summarised in Table 9.11.11 below.

 Table 9.11.11: Summary of Mitigation

Construction Phase	Where the works have an abuttal with the medieval ruins of the Old Abbey
	(St. Mary D'Urso), the development has been designed to avoid any direct

	physical impact to the adjacent structures. A Grade 1 Conservation Architect will be required to produce a detailed methodology for all conservation repairs to the National Monument and said method statement will require approval under Ministerial Consent. Of particular importance is the requirement to avoid any possibility of rust staining to the historic Abbey ruins, from the Corten steel structure of the proposed canopy adjacent to the tower and east gable. The design team responsible for the detail design and detailing of the new canopy must make sure that there will be no runoff of rust stained rainwater from the new canopy onto the adjacent ancient stone masonry.
	Where the works have an abuttal with the medieval town walls, the development has been designed to avoid any direct physical impact to the adjacent structures. Additionally, the design team responsible for the detail design/tendering information, must be keenly aware of the potential for damage to the monuments during the construction stage of the works, and provide method statements and specifications that will guarantee that the required diligence will be practiced by the contractors on the project. A Grade 1 Conservation Architect will be required to produce a detailed methodology for all conservation repairs to the National Monument and said method statement will require approval under Ministerial Consent.
	The resurfacing of the existing public realm footpaths, carriageways and other hard landscaping features has the potential for direct, negative and significant impacts to the fabric of the protected structures, monuments and otherwise significant heritage assets that stand adjacent to the public realm construction activities. These impacts can be caused by the operation of heavy construction plant in close proximity to these heritage assets, causing vibration, abrasion or impact. A Grade 1 Conservation Architect will be required to produce a detailed methodology for all works near heritage assets and appropriate method statements and specifications will be provided and practiced by the appointed contractors on the project.
Operational Phase	A Conservation Management Plan will be produced by a suitably qualified Conservation Architect and Archaeologist, to ensure the long term conservation of the upstanding remains of the Old Abbey during its use as part of the public realm in the Westgate Area. This plan will include measures for continuous assessment of the ongoing impact on the remains, from the use of the new public realm areas, along with procedures for addressing any impacts.
	A Conservation Management Plan will also be produced by a suitably qualified Conservation Architect and Archaeologist, to ensure the long term conservation of the upstanding remains of the medieval Town Wall, during its use as part of the public realm in the Westgate area. This plan will include measures for continuous assessment of the ongoing impact on the remains, from the use of the new public realm areas, along with procedures for addressing any impacts.

## Residual Effects

9.11.10.7. It is stated that no negative residual impacts in the context of architectural heritage are

anticipated regarding the proposed development.

## Assessment / Conclusion

9.11.10.8. Having examined, analysed and evaluated Chapter 17 of the EIAR and all the information provided in respect of architectural heritage, and having regard to the public submissions on file and the commentary from the Department, I am satisfied that the applicant's understanding of the baseline environment, by way of desk and site surveys, is sufficiently comprehensive and that the key impacts in respect of likely effects on architectural heritage have been identified. The project area boasts a rich architectural heritage, where it straddles a total of 3 no. ACAs and contains a significant number of Protected Structures either located within the site or immediately adjoining its boundary. As detailed, the project area has been divided into 5 no. distinct character areas and a detailed assessment of each area and how its design responds to the site's heritage assets is provided in Section 8.3 of this report. Furthermore, the assessment addresses the concerns raised within the public submissions on file and responds to the matters raised by the Department. Subject to compliance with appropriate conditions and the proposed mitigation measures discussed above, I am satisfied that the subject development will not give rise to significant direct, indirect, or cumulative effects on the site architectural heritage.

#### Landscape

## 9.11.11. Issues Raised

9.11.11.1. It is highlighted within a public submission that the proposed canopy on Father Connolly Way will block views of Millmount along Father Connolly Way which is one of the most important historical features in Drogheda.

## 9.11.12. Examination, analysis and evaluation

#### Context

- 9.11.12.1. Chapter 18 (Landscape and Visual) of the EIAR seeks to identify and determine the potential effects on the character and visual amenity of the landscape / townscape as a result of the proposed development on this part of Drogheda town.
- 9.11.12.2. In terms of methodology, the overall approach undertaken within this Landscape and

Visual Impact Assessment (LVIA) are based on the Guidelines for Landscape and Visual Impact Assessment (3rd Edition) by The Landscape Institute and the Institute of Environmental Assessment (2013) (GLVIA). Other published documents include:

- Technical Information Note on Townscape Character Assessment published by the Landscape Institute (2016);
- Guideline on the Information to be Contained in Environmental Impact Assessment Reports published by EPA (2022); and
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment published by the Department of Housing, Planning and Local Government (2018).

The EPA Guidelines (2022) provide a general methodology and impact ratings for all types of specialist assessments. The GLVIA provides specific guidelines for landscape and visual impact assessments. Therefore, it is stated that a combination of the EPA guidelines, the Landscape Institute guidelines and professional experience has informed the methodology for the assessment.

- 9.11.12.3. It is highlighted that site surveys were undertaken in September and October 2023 to establish locations where there are potential views of the proposal. Viewpoints were selected within publicly accessible areas based on the following criteria:
  - Review of any designated Views and Prospects (as noted further below being VP 49 – Millmount, VP 50 – Ballsgrove and VP 51 - Views of Millmount from the west),
  - Site investigation to establish those locations where there was likely to be significant views, and,
  - Site investigation to establish those locations where there was likely to be a significant number of visual receptors (e.g. commuter routes or tourist locations).

A total of 15 no. representative viewpoints in and near the site are set out in Figure 18.6 of the EIAR and these formed the basis for the photomontages used as part of the broader visual assessment process. Included as appendices to the Chapter are:

- Appendix 18.1 Tree Survey, and,
- Appendix 18.2 Verified Views.

#### Baseline

- 9.11.12.4. It is noted that the site is part of the dense Drogheda centre townscape defined by a historic pattern of roads, streets, public realm, buildings, open spaces and the frontage onto the River Boyne. The key components of this area include the following:
  - George's Square which includes a public parking area, public footpaths, public toilets, a bus stop area and adjoins existing premises,
  - Historic elements including the Medieval Wall ruins adjacent to the eastern side of the Bridge of Peace/George's Street (R132), the Old Abbey ruins and a freestanding gable ruin within Old Abbey Lane,
  - Lands beneath and adjacent to the Bridge of Peace/George's Street,
  - Road infrastructure including carriageways, footpaths, retaining walls, junctions, bus stops, loading bays, car parking spaces, etc.,
  - Public utilities such as post boxes, street lighting, overhead electrical cabling and poles, underground services, CCTV cameras, electrical boxes, manholes, signage, parking meters, etc.,
  - Street furniture including public art, seating/benches, planter boxes, raised flower beds, bins, bicycle parking, hanging flower baskets, water fountain, railings, etc.
  - An embankment and retaining wall with a railing that bound the tidal section of the River Boyne to the south,
  - Hard landscaped areas including stepped, sloping and level components, and,
  - Soft landscaped areas including grass, trees, shrubs, bushes, flowers, etc.

The R132 George's Street was widened to form a dual carriageway in the 1970's leading to a new river crossing at the Bridge of Peace which formed part of an inner by-pass of Drogheda. The townscape of the site includes a diverse and notable mix of buildings set between the River Boyne and the rising valley side leading towards Fair Street to the north. In general, the underlying topography is of a low-lying and gently sloping nature that rising approximately 15m between the south (on the river bank) and north over an approximate distance of 240m.

9.11.12.5. In terms of the site's 'Historic Townscape Development', reference is made to Chapter 15 of the EIAR and the detailed account provided of the historic context of the site and wider area. For 'Published Landscape Character Assessments', it is indicated that the Louth County Council – Landscape Character Assessment (2002) identified and categorised nine landscape character areas (LCA) in the county. The application site is located within Landscape Character Area (LCA) Boyne and Mattock Valleys. Although no specific mention is made to the Westgate area of Drogheda town, the sensitivity of the archaeological and historical importance of the area is noted. In terms of 'Environment, Heritage and Planning Designations', the Chapter refers to the site's land use zoning, the relevant heritage designations and policies that are applicable to the site and proposed development and views and prospects of special amenity value. It is indicated that there are no designated views within the site but there are a number in close proximity within the Drogheda townscape of which three are relevant.

- VP 49 Views of the town from Millmount,
- VP 50 Views of the town from Ballsgrove, and,
- VP 51 Views of Millmount from the West.
- 9.11.12.6. In terms of 'Townscape Sensitivity', key considerations in terms of classifying townscape sensitivity in this instance include the following:
  - The site has been identified for urban regeneration, comprising redevelopment, and public realm improvement, to recover the streetscape and this formed the basis of the earlier Westgate Vision,
  - The nature of the proposed development is one of public realm improvement and one that is sympathetic to and compliments the historic and riverside character of the Westgate area, and,
  - The architectural conservation areas, protected structures, and all other cultural heritage constraints in the immediate and surrounding townscape have been taken into careful consideration to inform the design and enhance their visual/cultural/historic offering. The proposed development will not alter the setting of the architectural heritage within the surrounding townscape.

On the basis of the foregoing, the site is rated as having a mixed townscape sensitivity. However, given the nature of the proposed works, it would be considered that the site has a good ability to absorb changes without any detriment to landscape / townscape character or visual amenity of this area.

#### Potential Effects

9.11.12.7. Potential significant effects of the development, as identified in the EIAR, are summarised in Table 9.11.12 below.

Do Nothing	The 'do-nothing' scenario will have no impact on the receiving landscape and likely to be a continuation of ongoing situation. The landscape / streetscape is likely to remain as currently exists (and be of a comparable value / condition) though the hard landscape and boundary treatments are likely to deteriorate in condition without management or repair thus leading to a further diminishment of the townscape and visual quality of this part of Drogheda.
Construction Phase	The site and immediate environs would be subject to inevitable construction related activities and resulting impacts that are likely to constitute an adverse townscape and visual effect for this temporary period.
	Specific site areas will be bound by new hoardings to clearly delineate working areas. Where feasible, existing walls and fences will be retained in situ for the construction period to also form this function. Publicity material may be displayed on the hoardings to inform the public and passers-by about the proposal and programme for delivery. The hoarding will also obscure views from low-level street / road areas.
	The magnitude of change to the townscape and views would be <i>medium</i> at construction stage on the site itself including the more sensitive heritage sites at the Abbey, Barlow House and aside the historic walls. While of an adverse nature to the site itself due to construction activity, the significance of any of these temporary effects would reduce to low or negligible once at any distance due to extent of intervening townscape and the nature of the development.
Operational Phase (Townscape Effects)	The broader scope and intent of the project is to achieve substantial positive effects in townscape / landscape and visual terms on this part of Drogheda. There are no distinctive or notable built features, facades or architecture that will be lost; any demolition would have neutral effects (i.e., no better or worse) on the character of the site.
	Given the nature of the project, it will provide enhanced connectivity and movement patterns across the Westgate area, delivery of high quality and enhanced public realm to promote general use and enjoyment of the public space. This will allow for permeability across the site to be improved with the linkages between the River Boyne corridor and town centre being improved in both aesthetic and practical terms.
	In terms of Green Infrastructure, the proposals allow for retention of existing trees and introduction of extensive soft and hard landscaping that will result in significant new and notable planting across this part of the town. The removal of ornamental shrubs aligning Father Connolly Way and the River Boyne to allow for improved connectivity (i.e. pedestrian and cycle access) will be compensated through the planting of more indigenous

Table 9.1.12: Summary of Potential Effects

	/ native species appropriate for this area along this corridor.
	Overall, the enhancement and improvement works will have a substantial positive effect on its baseline townscape character, visual quality, condition and general sense of place.
Cumulative Effects	It is highlighted that a review of other consented developments was completed as part of this assessment. The most significant recent addition to the townscape (and under construction at time of writing) is the Mill Lane apartment development to the west of George's Street. It is contended that the collective, if completed, would have positive effects for this part of the town in terms of general improvement in character and visual quality due to removal of degraded buildings, enhanced connectivity and landscape and the general sense of place. Given the existing built form and evolving townscape this part of Drogheda, there are no significant or unacceptable cumulative effects predicted to derive from this proposal in conjunction with these in townscape / landscape and visual amenity terms.

9.11.12.8. The following section summarises the existing setting and likely or anticipated visual effects on the 15 no. viewpoints for which verifiable photomontages have been prepared for the proposed development. The results of the Applicant's LVIA is summarised in Table 9.11.13 below.

VP	VP Location	VP Sensitivity	Predicted Change	Significance Summary
1	George's Street (R132 Road) near junction of Fair Street/West Street	Medium	The proposed junction upgrade includes realignment of the road, repositioning of the bus stop and new tiered public realm area with associated public realm landscape works and a water feature. The existing streetscape and character of this part of the site (and ACA) would be enhanced by the upgraded and re-aligned junction and new public realm, stepped terraces and tree planting that will improve its inherent visual quality, amenity value and appearance.	Moderate Positive
2	Western footpath at George's Street (R132 Road) looking eastwards towards Fair Street.	Medium	The proposed junction upgrade includes realignment of the road, repositioning of the bus stop and new tiered public realm area with associated public realm landscape works and a water feature. The existing streetscape and character of this part of the site (and ACA) would be enhanced by the upgraded and re-aligned junction and new public realm, stepped terraces and tree planting that will improve its inherent visual quality, amenity value and appearance.	Moderate Positive
3	View from western side of George's	Medium to High	The proposed works include improved surfaces to the streets including stone pavements, associated landscaping, tree	Moderate Positive

Table 9.11.13: Results of the Applicant's LVIA

	Street (R132 Road) looking eastwards towards West		planting and two freestanding Corten Steel structures defining the entrance to West Street. The broader proposals entail a new 'cultural square' to the front of	
	Street & Barlow House.		Barlow House which would consequently enhance the streetscape and usability of the street, creating a 'destination' for users. The collective will improve its inherent visual quality, amenity value and appearance.	
4	Father Connolly Way looking eastwards towards the Old Abbey (Abbey of St Mary d'Urso).	Medium to High	The proposal includes public realm works with an associated amenity garden area, and the sympathetic renovation of Abbey gable that would substantially improve the quality of the overall view and restore a visual and physical link between Old Abbey Lane and areas to the west. This would open up connectivity in this part of Drogheda and allow the historic and cultural heritage of the Old Abbey (Abbey of St Mary d'Urso) to be both enhanced and thereby more appreciable to greater numbers of visual receptors.	Substantial Positive
5	George's Street (R132 Road) on northern end of the Bridge of Peace.	Medium	The proposed works include new public realm, cycle lane / footpaths and soft landscape works along the north bank of the River Boyne. This would enhance the general open space of this riverfront area entailing removal of graffitied walls, reworking of remnant or unused landscapes and major investment symbolised most by the new promenade / boardwalk. This would assist in changing the predominant characteristic of the partially neglected, functional or utilitarian townscape into one that has a more amenable and aesthetic basis as well as providing improved sustainable elements in terms of connectivity and infrastructure for the town.	Moderate Positive
6	Father Connolly Way to south of Murdock's Car Park near the Bridge of Peace.	Medium to Low	The proposed works include a new pedestrian footpath at riverfront level, public realm works, cycle lane, an enhanced setting for the existing Shaft of Light sculpture and soft landscape works including new trees. The landscape character of this area would be enhanced with the addition of a promenade / boardwalk and cycle lane that are ultimately intended to be part of a wider connection along the north bank of the River Boyne and link through to Hope Lane further west. Should this connection be realised, it would result in a significant increase in visual receptors at this location.	Moderate Positive
7	Bridge of Peace (eastern footpath) on	Medium	The proposed works include new public realm, cycle lane / footpaths and soft landscape works along the north bank of the River Boyne. This would enhance the	Moderate Positive

	R132 Inner- By-Pass.		visual character of this riverfront area entailing removal of graffitied walls, reworking of remnant or unused landscapes and major investment symbolised most by the new promenade / boardwalk. The renovation works to the Abbey and town walls would also be evident. The collective would assist in changing the partially neglected, functional or utilitarian townscape into one that has a more amenable and aesthetic basis as well as providing improved sustainable elements of connectivity and infrastructure for the town.	
8	Bridge of Peace (northbound) on R132 Inner- By-Pass. LCDP Protected View No. 51.	Medium to Low	The proposed works will be largely obscured to due to extent of road and angle of view. This view is close to that identified as a protected view/prospect (VP51) LCDP stating 'Views of Millmount from the West' though the proposal is not in that specific view direction. Irrespective, it will have no effects on any appreciation of the vantage towards Millmount or any consequence on any appreciation of this view.	Slight Neutral
9	Highfield Road, Ballsgrove. LCDP Protected View No. 50.	High	Vegetation may have established in this area to such an extent that views in the direction of the proposed development are now obscured from this general area. The view is primarily focused on the town centre of Drogheda and the proposed development is on the western periphery of the view cone. The proposed development will be a barely discernible addition but due to distance, intervening vegetation and nature of townscape, the effects will not be of a negligible nature.	Negligible Neutral
10	Martello Tower, Millmount. LCDP Protected View No. 49.	High	The new public realm, cycle lane, sculpture, soft landscaped area along river frontage will be discernible but given the distance, 450m+, their influence or impact on the panoramic view of the wider town will be muted. The majority of the proposed works will be obscured and will have negligible impact. Irrespective, there will be some slight improvements to the riverside setting and tree cover towards the Bridge of Peace and visible in the Dominic Street area.	Sight Positive
11	Junction of Father Connolly Way and Dominic Street.	Medium	The existing character would be enhanced with the addition of a promenade/boardwalk adjacent the River Boyne, a feature Corten Steel canopy, tree planting and wider streetscape design and material quality improvements. Planting will also help to break up views of the adjacent car park. This will enhance the baseline view	Moderate Positive

			quality and value having positive effects in terms of the vibrancy and overall condition of the public realm and sense of place.	
12	Dominic Street adjacent to the Dominic Street Car Park.	Medium	The existing character would be enhanced through improved streetscape design and material quality improvements on Dominic Street including new tree planting (where nothing exists at present) and street furniture provision. This will enhance the baseline view quality and value having positive effects in terms of the vibrancy and overall condition of the public realm and sense of place.	Moderate Positive
13	St. Patrickswell Lane looking west along Old Abbey Lane.	High	The baseline cultural heritage quality of the view is high though the boarded up windows suggest limited use and detract from the scene. The proposal will serve to enhance the Abbey setting including renovation of key remaining structures and improvements of the public realm leading towards and around the site. These works, the new breakthrough connection to Father Connolly Way and the associated sympathetic canopy will enhance the remnant Abbey's presence in terms of historic and cultural heritage thereby, having positive effects on the general visual amenity of this part of Drogheda.	Moderate Positive
14	Junction of West Street and Dominic Street.	Medium	The proposed works entail an upgraded road surface, new street furniture and mature tree planting. The design seeks to continue to allow vehicular access to West Street but downplay its dominance and give the wider streetscape a more pedestrian feel. The broader townscape would be subject to no significant change but it would benefit from the baseline public realm enhancements that would improve its quality and value in visual amenity terms.	Moderate Positive
15	Junction of Scholes Lane and Fair Street.	Medium	The primary works would be an upgrade to the pavement surface of Scholes Lane that will tidy up its overall visual appearance and improved the safety, quality / condition of the townscape. This will enhance the sense of place, general function and purpose of the lane comparative to the existing situation.	Slight Positive

# Mitigation

# 9.11.12.9. Mitigation measures are summarised in Table 9.11.14 below.

 Table 9.11.14:
 Summary of Mitigation

Construction Phase	- All activities will be subject to pre-planned method statements in accordance with appropriate legislation in particular Construction Design and Management Regulations and Management of Health	
	<ul> <li>and Safety at Work Regulations,</li> <li>Erection of temporary hoarding around construction areas to clearly delineate working areas and protect public from the works.</li> </ul>	
	<ul> <li>stage,</li> <li>Lighting will be maintained in good order and provided where</li> </ul>	
	necessary to ensure sufficient illumination. Precautions will be taken to ensure no shadows are cast by hoardings or building works onto pavement or road areas. Internal construction lighting will be angled so that it does not cause nuisance to adjacent	
	<ul> <li>Careful siting of construction machinery, materials and welfare facilities to avoid unnecessary impacts on adjacent areas,</li> </ul>	
	<ul> <li>Ensuring the streets or roads providing access to the work are maintained free of dust and mud as far as possible and that any damaged surfaces are made good; and,</li> </ul>	
	<ul> <li>To have effective site and litter management systems in place from the outset to ensure a clean, tidy and presentable image.</li> </ul>	
Operational Phase	The potential townscape and visual effects of the proposal in the operational phase have been classified as positive on the basis that the	
	overriding nature of the project is to improve the townscape, public realm and visual amenity of this part of Drogheda. No negative effects have been identified and therefore no mitigation measures are required for townscape and visual effects.	

## Residual Effects

9.11.12.10. In terms of the residual townscape effects, it is contended that the impacts would be of a positive nature on all the main elements of the townscape character, including (a) the land use, (b) the urban grain and movement patterns, (c) the network of public realm and communal open spaces, (d) green infrastructure, and (e) the overall perception of quality and liveliness of the townscape. Therefore, the townscape effects of the proposed development in the operational phase are predicted to be significant positive. In the context of residual visual effects, the predicted effects on the 15 no. representative viewpoints in the receiving environment range from 'Negligible Neutral' to 'Substantial Positive' and are summarised in 9.11.14 above and Table 18.25 of the EIAR.

## Assessment / Conclusion

9.11.12.11. I have examined, analysed and evaluated Chapter 18 of the EIAR and all the information provided in respect of landscape and I am satisfied that the information

submitted in the EIAR adequately demonstrates an understanding of the potential impacts of the proposed project. I have also inspected the site and the surrounding area. As detailed throughout this report, concerns had been raised in the public submissions and by the Department regarding the potential visual impact of aspects of the proposed development. In summary, these related to the scale of the raised pedestrian walkway relative to the upstanding remains of the medieval wall, the erection of the Corten steel canopy to enclose the Old Abbey, the palette of materials and finishes proposed throughout project area (namely predominance of Corten Streel) and the partial demolition of the stone wall along Father Connolly Way to provide unrestricted access to the Abbey Square. I note that I have addressed these concerns in detail in Section 8.3 of this report and subject to compliance with appropriate conditions, I am satisfied the proposed development fully accords with local through to national policy provisions. In my view, the design of the public realm interventions are sympathetic to the architectural and archaeological assets of the site, will provide for a significant enhancement of the public realm and the positive impacts of the scheme have been demonstrated in the comprehensive suite of verified photomontages which have accompanied the application.

9.11.12.12. I note that concerns were raised by an observer in relation to the view towards Millmount being obscured along the riverfront by the proposed freestanding Corten steel pavilion. However, having inspected the site and surrounding area, views towards Millmount will only be obscured at a particular point along Father Connolly Way and the impact is negligible in my view. In addition, I note that there are no Protected Views at this location that have been identified in the current Plan (2021-2027). Having regard to the nature of the proposed development the scale of the proposed interventions and subject to compliance with the mitigation measures and appropriate conditions, I am satisfied that the subject development will not give rise to significant direct, indirect, or cumulative effects on the receiving landscape.

#### 9.12. Interactions

## 9.12.1. Issues Raised

9.12.1.1. No issues have been raised in the course of the planning application in respect of significant environmental effects arising from interactions of impacts.

#### 9.12.2. Examination, analysis and evaluation

#### Context

9.12.2.1. Chapter 19 (Interactions) of the EIAR outlines the areas where potential interactions may arise as a result of the proposed development. The Chapter presents an assessment of the identified interactions, a summary of which is provided in Table 9.12.1 below.

Table 9.12.1: Summary of Interactions

Interaction	Population and Human Health
Air Quality and Climate	The proposed project has the potential to create nuisance/health impacts related to exposure to dust during the construction stage and construction traffic related emissions during the construction stage.
Noise and Vibration	The proposed project has the potential to create potential impacts during the construction stage related to elevated noise levels.
Hydrology & Hydrogeology	The proposed project has the potential to create impacts on surface water runoff during the construction stage as a result of increased levels of silt or other pollutants, in addition to potential pollution from spillages, wheel washing and water from trucks on site.
Landscape and Visual	The proposed project has the potential to create visual impacts related to the presence of a construction site during the construction stage, and the presence of a sizeable new residential development during the operational phase.
Material Assets: Traffic	The proposed project has the potential to create traffic/parking impacts during the construction stage due to presence of construction traffic and traffic management measures and traffic impacts due to the traffic generated by the operational stage.
Material Assets – Site Services.	The proposed project has the potential to create health impacts related to improper safety protocols, e.g. related to diversions of power lines, and potential nuisance/impacts on residential amenity due to potential water/power/service outages during the construction phase.
Material Assets – Waste	The proposed project has the potential to create health impacts if improper waste management measures are implemented during both the construction and operational stages.
Interaction	Biodiversity
Hydrology and Hydrogeology	The proposed project has the potential to create impacts on nearby watercourses during the construction stage as a result of silt laden runoff and potential spills/leakages of fuels/contaminants.
Interaction	Land and Soils
Biodiversity	Geology often shapes the topography and geology of a site. Ecology is also closely linked due to water quality having an impact on the ecosystems and their flora and fauna.
Hydrology and Hydrogeology	Potential effects associated with Geology, including excavations and management of excavation arisings produce potential sources of contamination and a hazard in terms of runoff and surface water quality, e.g. entrainment of solids in runoff and intercepted by receiving surface water network.
Interaction	Hydrology and Hydrogeology
Biodiversity	The Hydrogeology & Hydrology Chapter is closely linked to the Biodiversity Chapter (Chapter 8) due to water quality having an impact on the ecosystems and their flora and fauna. Cross references are included in the Hydrogeology & Hydrology Chapter where relevant.
Land, Soils and Geology	Potential effects associated with Geology, including excavations and management of excavation arisings produce potential sources of

	contamination and a hazard in terms of runoff and surface water quality, e.g. entrainment of solids in runoff and intercepted by receiving surface water network.
Interaction	Air Quality and Climate
Population and Human Health	The proposed scheme has the potential to create impacts relevant to dust nuisance during construction and vehicular emissions during both the construction and operational phase.
Material Assets: Traffic	The proposed scheme has the potential to increase traffic related emissions from moving construction materials to and from site during the construction phase and operational phases.
Biodiversity	The proposed scheme has the potential to create impacts on local biodiversity in the area (including all relevant designations) during the construction phase.
Lands, Soils and Geology	The proposed scheme has the potential to create dust nuisance impacts from earthworks, construction and track out during the construction phase.
Interaction	Noise and Vibration
Population and Human Health	The assessment of noise and vibration has concluded that additional noise associated with the proposed development will not have any major negative impacts beyond the site boundary. Mitigation and monitoring measures will be incorporated to further reduce the potential for noise generation from the proposed development. No human health impacts are anticipated as a result of noise from the proposed development.
Material Assets: Traffic	There is the potential for traffic related noise to impact residents during the operational phase of the proposed development; however, due to the implementation of the proposed mitigation measures, there will be no significant impact.
Biodiversity	The Noise and Vibration effects of the proposed development will cause disturbance to the local fauna including birds during the Construction Phase of the proposed development. However, the proposed mitigation measures will reduce this disturbance.
Interaction	Landscape and Visual
Population and Human Health	In terms of any residential amenity, landscape and visual effects will be most pronounced during the construction stage causing initial visual impacts. Thereafter the effects will be positive as the vantage of their properties, general townscape, amenity provision and connectivity in this part of Drogheda will be enhanced.
Biodiversity	The proposed landscape works were reviewed by the project ecologist and plant species include significant indigenous species and other ecology measures are included which will have a positive effect as it matures on local ecology and diversity. The species selected as part of this development are based on those listed in the All-Ireland Pollinator Plan 2015-2020.
Archaeology and Cultural Heritage	The area contains numerous listed buildings and monuments including the Medieval Town Walls, the Old Abbey (Abbey of St Mary d'Urso) and the site of a historic quay on the River Boyne banks. In general terms, the proposal is related to improving each of their settings and understanding in visual terms that will have inherent positive effects
Interaction	Archaeology and Cultural Heritage
Architectural Heritage	There is a direct interaction between this assessment and Chapter 17 Architectural Heritage. It is stated that Chapter 17 has been reviewed as part of this assessment to ensure all aspect of the historic environment have been assessed and also to prevent replication of information.
Interaction	Architectural Heritage
Archaeology and Cultural Heritage	There is a direct interaction between this assessment and 'Chapter 16 - Archaeology and Cultural Heritage'. It is stated that chapters have been reviewed as part of this assessment to ensure all aspects of the historic environment have been assessed and also to prevent replication of

	information as much as possible.		
Interaction	Material Assets – Waste		
Population and Human Health Biodiversity	The proposed project has the potential to create impacts during the construction stage as a result of the removal, handling and storage of waste. The proposed project has the potential to create impacts during the construction and operation stages as a result of the handling and storage of waste.		
Land, Soils and Geology	The proposed project has the potential to create impacts, such as contamination of soil and stones excavated from the site, during the construction stage as a result of handling and segregation of hazardous or contaminated wastes.		
Material Assets – Traffic & Transportation	The proposed project has the potential to create impacts during the construction and operational stages as a result of waste collection activities.		
Interaction	Material Assets – Traffic & Transportation		
Population and Human Health	Potential noise impacts associated with increased traffic during the construction phase.		
	At operational stage, the proposals will result in a narrowing of the carriageway so that existing traffic is more centralised and allow for the provision of a plaza area on the eastern side of George's Square and enhance the pedestrian and cyclist experience in the area. The improved streetscape in the area, the proposed of the walkway along the Medieval Wall and the facilities along the River Boyne will enhance the existing character of the various areas and improve the experience for the users.		
Air and Climate	The construction phases of the project have the potential to releases atmospheric pollutants into the surrounding environment as a result of construction related vehicle movements. Emissions from site services, such as energy consumption and waste management, can contribute to air pollution and climate change. Implementing energy-efficient systems and proper traffic management practices will help minimise these impacts. Mitigation measures detailed for the construction stages will however aid in reducing levels of air pollution.		
	As operational stage, there is no significant impact predicted on local air quality concentrations at human exposure receptors or designated sites as a result of the operational stage of the proposed development. The current composition of traffic and traffic volumes are set to be reduce due to the provision of area wider Active Travel Schemes.		
Noise & Vibration	At the construction stage, there is an interaction between noise / vibrations and traffic through generation of construction stage traffic. Overall predictions are that there will be no significant noise impact generated during construction stages due to traffic generation with appropriate mitigation.		
	As operational stage, there is an interaction between noise / vibrations and traffic through generation of operational stage traffic. Proper mitigation measures should be employed to minimise disturbance to nearby residents and sensitive receptors. Overall predictions are that there will be no significant noise impact generated during the operational stages due to traffic generation with appropriate mitigation.		
Interaction	Material Assets – Site Services		
Population & Human Health	During the construction stage, potential impacts may arise due to excavation work in areas where built services are present, including the risks of encountering live electricity lines or causing damage to live gas or water mains.		
Biodiversity	Site services, particularly waste management and drainage systems, can affect local ecosystems and biodiversity. Ensuring appropriate waste disposal and treatment methods will help protect sensitive habitats and		
	species especially near the woodland walk area.		
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Land, Soils, & Geology	During the construction stage, potential impacts may occur due to activities such as the removal of topsoil and earthworks to facilitate the construction of roads and infrastructure service provision, storage systems, and trench excavations for site service installation.		
Hydrology & Hydrogeology	During the construction stage, potential impacts may arise due to the connection of services and the implementation of Sustainable Urban Drainage Systems (SUDS), which could affect the hydrology and hydrogeology of the area.		
Air & Climate	Emissions from site services, such as energy consumption and waste management, can contribute to air pollution and climate change. Implementing energy-efficient systems and proper waste management practices will help minimize these impacts.		
Noise & Vibration	Site services, such as waste collection and maintenance activities, can generate noise and vibrations. Proper scheduling and mitigation measures should be employed to minimize disturbance to nearby residents and sensitive receptors.		
Landscape & Visual Impact	Site services infrastructure such as proposed overhead power cables, underground services etc can have impacts on the landscape. Careful planning and design should be employed to minimize these effects and integrate the infrastructure into the surrounding environment.		
Material Assets (Traffic & Transportation)	Site services can generate additional traffic, particularly during construction and maintenance activities. Proper planning and management should be employed to minimize congestion and ensure safe transportation.		
Material Assets (Waste)	Proper waste management practices are crucial for minimizing environmental impacts and ensuring public health. The design and operation of waste management, especially during construction phase, facilities should adhere to relevant regulations and guidelines.		
Cultural Heritage& Archaeology	Site services construction and maintenance activities can potentially impact archaeological resources. Proper planning, surveying, and mitigation measures should be implemented to preserve and protect these resources.		
Architectural Heritage	Site services infrastructure should be designed and located in a manner that respects and preserves architectural heritage. Coordination with local authorities and heritage experts will help ensure the protection of historical and culturally significant structures.		

#### Mitigation

9.12.2.2. The mitigation and monitoring measures are set out for each environmental parameter within the relevant Chapters of the EIAR and are collated within Chapter 21 (Mitigation and Monitoring Measures).

#### Residual Effects

9.12.2.3. Any potential interactive negative impacts have been identified and are addressed by the mitigation measures included in the relevant sections of the EIAR, with residual effects as presented in each relevant chapter.

#### Assessment / Conclusion

9.12.2.4. I have examined, analysed and evaluated Chapter 19 of the EIAR and the associated

chapters of the EIAR. Overall, I am satisfied that the applicant has identified the key interactions arising for the subject development.

#### 9.13. Reasoned Conclusion

9.13.1. Having regard to the examination of environmental information set out above, to the EIAR submitted with the application, other information provided by the Applicant in support of the application, and to the public submissions on file and the commentary provided by the Prescribed Body in the course of the application, it is considered that the main significant direct and indirect effects of the proposed development on the environment are as follows:

# Population and Human Health

9.13.2. The potential for significant adverse impacts on human health during the construction and operational phases can be avoided, managed, and mitigated by the measures that form part of the proposed development, the proposed mitigation measures and through suitable conditions. In addition, positive impacts on population and human health will include health and social/wellbeing benefits associated with the provision of a new public/open space in the town centre and the provision of a highly permeable layout which encourages walking and cycling.

#### Biodiversity

9.13.3. The proposed development will result in the permanent loss of the dry meadow habitat on the bridge embankment (the eastern side of George's St). When considered in isolation, this will have a negative impact on this habitat of Local importance. However, the proposed development will involve substantial landscape planting both along the riverfront and within the Medieval Wall character area (including trees, shrubs and groundcover) and this will enhance the biodiversity value of the site and will result in a moderate positive effect. In terms of the site's partial location within the River Boyne and River Blackwater SAC and its location both upstream and downstream of a number of European Sites, it is acknowledged that all of the qualifying interests of these Natura 2000 sites could potentially be vulnerable to waterborne pollutants, and mitigation measures will be necessary in order to avoid or reduce the potential impacts of pollution incidents. However, compliance with the suite of mitigation measures proposed will ensure that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the relevant European Sites in view of their Conservation Objectives and there is no reasonable scientific doubt as to the absence of such effects. Overall, it is considered that potential impacts on biodiversity will be mitigated by the application of best practice construction methodologies, as set out in the project documentation and the application of the proposed mitigation measures, such that no significant adverse effects arise.

#### Land, Soil, Water, Air and Climate

- 9.13.4. It is not anticipated that any impacts will arise on land and soils following the implementation of the mitigation measures and subject to compliance with appropriate conditions.
- 9.13.5. In terms of water, there is potential for a deterioration of water quality of the River Boyne to the south of the site, arising from silt, dust and petrochemical pollution. However, the implementation of mitigation measures and compliance with suitable conditions will ensure that the potential impacts on the ground and surface water environment do not occur during the construction and operational phase of the proposed development and the residual impact will be imperceptible. Therefore, no significant adverse direct, indirect, or cumulative effects on the water environment, water quality or WFD objectives will arise as a consequence of the proposed development.
- 9.13.6. In terms of Impacts on Air Quality, it has been demonstrated that the risk of dust impacts on human health during the construction phase has been identified as ranging from negligible to low and no significant, adverse direct, indirect, or cumulative effects will arise as a consequence of the proposed development. Noting the scale and duration of the construction phase, the predicted traffic movements during the operational phase and the mitigation measures proposed, the effect of the proposed development on national GHG emissions will be insignificant in terms of Ireland's obligations under the Kyoto Protocol. The proposed development promotes active travel through the provision of cycle infrastructure and the creation of pedestrian permeability through the site. In addition, the level of car parking to be provided on site

has been reduced overall which promotes a shift away from private vehicle trips. Therefore, the proposed development will have no considerable impact on climate.

9.13.7. No residual impacts are anticipated with respect to Noise and Vibration.

#### Material Assets, Cultural Heritage, and the Landscape

- 9.13.8. In terms of material assets, the proposed development will not generate traffic levels during construction and operational phases that will give rise to a significant impact. No impact on waste and utilities are anticipated.
- 9.13.9. Potential directs impacts on Protected Structures, Recorded Monuments and unknown features of archaeology may arise during the construction and operational phase. However, these impacts will be mitigated by archaeological monitoring of groundworks and compliance with the various mitigation measures outlined in the EIAR and the various conditions that have been discussed in detail. Therefore, no negative residual impacts in the context of archaeology, cultural heritage and architectural heritage are anticipated regarding the proposed development. There will be residual significant positive impacts on the site of the Abbey, the Medieval Town Wall and many of the Protected Structures due to the fact that the heritage assets will form part of a publicly accessible townscape.
- 9.13.9.1. In the context of landscape, the predicted effects on the 15 no. representative viewpoints in the receiving environment range from 'Negligible Neutral' to 'Substantial Positive'. It is considered that the design of the public realm interventions are sympathetic to the architectural and archaeological assets of the site and wider surrounds, will provide for a significant enhancement of the public realm and the positive impacts of the scheme have been demonstrated in the comprehensive suite of verified photomontages which have accompanied the application. Therefore, the proposed development will not give rise to significant direct, indirect, or cumulative effects on the receiving landscape.
- 9.13.9.2. The EIAR has considered that the main significant direct and indirect effects of the proposed development on the environment which will be primarily mitigated by

environmental management measures, as appropriate. The assessments provided in the individual EIAR chapters are satisfactory to enable the likely significant environmental effects arising as a consequence of the proposed development to be satisfactorily identified, described and assessed. Therefore, having regard to the foregoing, I am satisfied that the proposed development would not have any unacceptable significant direct, indirect, or cumulative effects on the environment.

# 10.0 The likely significant effects on a European site (Appropriate Assessment).

The areas addressed in this section are as follows:

- Compliance with Articles 6(3) of the EU Habitats Directive
- Geographical Scope and Main Characteristics
- The Natura Impact Statement
- Screening
- Appropriate Assessment of implications of the proposed development on each European Site.

# 10.1. Compliance with Articles 6(3) of the EU Habitats Directive

10.1.1. Article 6(3) of this Directive requires that any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. The competent authority must be satisfied that the proposal will not adversely affect the integrity of the European site before consent can be given.

# **10.2.** Geographical Scope and Main Characteristics

10.2.1. The application site has a stated area of c. 1.89ha. and is centrally located within the regional growth centre of Drogheda. As noted, the proposed development comprises public realm regeneration works on lands within the Westgate Vision Area of the town and the overall objective of the 'Westgate 2040' project' is to act as a catalyst to support positive urban regeneration and public realm improvements in the Westgate Vision Area of Drogheda Town Centre. A detailed description of the application site and the nature of the proposed works have been provided in earlier sections of this

Inspector's report.

10.2.2. The southern boundary of the subject site has a direct abuttal with the River Boyne and there is a partial overlap with the boundary of the River Boyne and River Blackwater SAC (Site Code 002299). The River Boyne is estuarine in the vicinity of the site, i.e. it is tidal and has a brackish influence. It is noted that the division between river (freshwater) and estuary (brackish water) occurs near the Battle of the Boyne visitor centre c. 5km upstream (west) of the site. The estuary meets the coast c. 9km downstream (east) of the site. Under the Water Framework Directive status assessments 2016 – 2021, the transitional waters of the River Boyne are of Moderate status, as are the coastal waters at the mouth of the river.

#### **10.3.** The Natura Impact Statement

- 10.3.1. The application an accompanied by an NIS which describes the proposed development, the project site, and the surrounding area. The project methodology is outlined in Section 1 of the NIS, the site description is detailed in Section 2 and description of site's environmental setting is provided in Section 3.
- 10.3.2. It is indicated that all desktop and field survey data was collected between April 2021 and October 2023. Surveys included mapping of habitats and flora, searches for otter field signs, and inspections of the riverbank. Bird surveys were not considered necessary because the site does not contain any habitats suitable for bird species associated with nearby SPAs. Fish surveys were not considered necessary because the status of fish within the SAC is well established, and because the project will not involve any in-stream works.
- 10.3.3. Section 4 of the report provides an AA screening and Table 1 identifies a total of 5 no. European Sites which are within the site's Zone of Influence (ZoI). It is confirmed that they have not used a ZoI based on arbitrary distances (e.g. 15 km). This section concludes that of the 5 no. European Sites within the site's ZoI, three require Stage 2 Appropriate Assessment.
- 10.3.4. The NIS predicts the potential (direct and indirect) impacts for these sites and their

conservation objectives, it suggests mitigation measures and concludes that 'the proposed development will not adversely affect the integrity of any European site, either alone or in combination with other plans or projects, and there is no reasonable scientific doubt in relation to this conclusion'. Overall, I am satisfied that the NIS provides adequate information in respect of the baseline conditions, does clearly identify the potential impacts, and does use best scientific information and knowledge. Details of mitigation measures are provided, and I am satisfied that the information is sufficient to allow for appropriate assessment of the proposed development.

#### **10.4. Screening for Appropriate Assessment**

- 10.4.1. The first test of Article 6(3) is to establish if the proposed development could result in likely significant effects on a European site. Section 177(AE) (3) states that where a Natura Impact Statement has been prepared pursuant to subsection (1), the local authority shall apply to the Board for approval and the provisions of Part XAB shall apply to the carrying out of the appropriate assessment.
- 10.4.2. The proposed development is not directly connected with or necessary to the management of any European site. Having regard to the information and submissions available, nature, size and location of the proposed development and its likely direct, indirect and cumulative effects, the source pathway receptor principle and sensitivities of the ecological receptors, the following European Sites are considered relevant to include for the purposes of initial screening for the requirement for Stage 2 appropriate assessment on the basis of likely significant effects.

Table 10.1: European sites considered for Stage 1 screening:							
European site	Qualifying Interests	Connections (Source,	Considered further				
(SAC/SPA)	pathway, receptor)		in screening. Y/N				
River Boyne and River	Alkaline fens [7230]	Yes, the subject site is	Yes.				
Blackwater SAC	Alluvial forests with	partially located within					
(Site Code 002299)	Alnus glutinosa and	the SAC.					
	Fraxinus excelsior (Alno-						
<b>River Boyne and River</b>	Padion, Alnion incanae,						
Blackwater SAC	Salicion albae) [91E0]						
<u>National Parks &amp;</u>	Lampetra fluviatilis						
Wildlife Service	(River Lamprey) [1099]						
<u>(npws.ie)</u>	Salmo salar (Salmon)						
	[1106]						
	Lutra lutra (Otter) [1355]						
Boyne Estuary SPA	Shelduck (Tadorna	Yes, Hydrological	Yes, due to the				
(Site Code 004080)	tadorna) [A048]	Connection, SPA is c.	hydrological				

	Oystercatcher	2.2km downstream of	connectivity.
Boyne Estuary SPA	(Haematopus	the site.	
National Parks &	ostralegus) [A130]		
Wildlife Service	Golden Plover (Pluvialis		
(npws.ie)	apricaria) [A140]		
	Grey Plover (Pluvialis		
	squatarola) [A141]		
	Lapwing (Vanellus		
	vanellus) [A142]		
	Knot (Calidris canutus)		
	[A143]		
	Sanderling (Calidris		
	alba) [A144]		
	(Limona limona) [A156]		
	(Limosa limosa) [A156] Rodebank (Tringa		
	totopus) [A162]		
	Turnstone (Arenaria		
	interpres) [A169]		
	Little Tern (Sterna		
	albifrons) [A195]		
	Wetland and Waterbirds		
	[A999]		
<b>River Boyne and River</b>	Kingfisher (Alcedo	Yes, Hydrological	The NIS has stated
Blackwater SPA	atthis) [A229]	Connection, SPA is c.	that the SPA
(Site Code 004232)		2.6km upstream of the	covers the
		site. It is noted that the	freshwater section
River Boyne and River		River Boyne at this	of the River Boyne
Blackwater SPA		location is tidal in	upstream of the
National Parks &		nature.	site, so surface
Wildlife Service			water pathways
(npws.ie)			can be ruled out.
			However, given the
			section of the River
			Bovne
			hvdrological
			connectivity exists.
			The site is
			therefore screened
			in for this
			assessment.
Boyne Coast and	Estuaries [1130]	Yes, Hydrological	Yes, due to the
Estuary SAC	Mudflats and sandflats	Connection, SAC is c.	hydrological
(Site Code 001957)	not covered by seawater	3.4km downstream of	connectivity.
Pouro Coost and	at low tide [1140]	the site.	
Estuary SAC   National	Annual vegetation of uffit		
Parks & Wildlife	Salicornia and other		
Service (nows ie)	annuals colonising mud		
	and sand [1310]		
	Atlantic salt meadows		
	(Glauco-Puccinellietalia		
	maritimae) [1330]		
	Embryonic shifting		
	dunes [2110]		
	Shifting dunes along the		
	shoreline with		
	Ammophila arenaria		
	(white dunes) [2120]		

	Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]		
North-West Irish Sea SPA (Site code 004236) North-west Irish Sea SPA   National Parks & Wildlife Service (npws.ie)	Red-throatedDiver(Gavia stellata) [A001]GreatNorthernDiver(Gavia immer) [A003]Fulmar(Fulmarusglacialis) [A009]ManxShearwater(Puffinuspuffinus)[A013]Cormorant(Phalacrocorax(Phalacrocoraxaristotelis) [A018]CommonScoter(Melanitta nigra) [A065]LittleGull(Larusminutus) [A177]Black-headedGull(Chroicocephalusridibundus) [A179]CommonCommonGull(LarusfuszerBlack-backedGull(LarusfuszerBlack-backed Gull(LarusfuszerBlack-backed Gull(LarusfuszerBlack-backed Gull(LarusfuszerBlack-backed Gull(LarusfuszerFuszerBlack-backed Gull(LarusfuszerGull(LarusfuszerManxfuszerfuszerfuszerGull(Larusfuszerfuszerfuszerfuszerfuszerfuszerfuszerfuszerfuszerfuszerfuszerfuszerfuszerfuszer </td <td>Yes, Hydrological Connection, SPA is c. 7.4km downstream of the site.</td> <td>No. Although there is a surface water pathway between the site and the cSPA, I would concur with the Applicant's ecologist that any pollutants would be diluted by the Boyne Estuary and the coastal waters of the Irish Sea before they could affect the qualifying interests of the cSPA, so this is not considered to be a feasible pathway. All other pathways (via groundwater, land or air) can be ruled out due to distance.</td>	Yes, Hydrological Connection, SPA is c. 7.4km downstream of the site.	No. Although there is a surface water pathway between the site and the cSPA, I would concur with the Applicant's ecologist that any pollutants would be diluted by the Boyne Estuary and the coastal waters of the Irish Sea before they could affect the qualifying interests of the cSPA, so this is not considered to be a feasible pathway. All other pathways (via groundwater, land or air) can be ruled out due to distance.

10.4.3. Based on my examination of the NIS and supporting information (including the EIAR, Planning Statement, Design Statement, SSFRA and the preliminary CEMP), the NPWS website, aerial and satellite imagery, the scale of the proposed development and likely effects, separation distances and functional relationship between the proposed works and the European sites, their conservation objectives and taken in conjunction with my assessment of the subject site and the surrounding area, I would conclude that a Stage 2 Appropriate Assessment is required for four of the five European sites referred to above. The remaining site can be screened out from further assessment due to the scale of the proposed works, the nature of the Conservation Objectives, Qualifying and Special Conservation Interests, the separation distances and the lack of a substantive link between the proposed works and the European sites. It is therefore reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on the North-West Irish Sea SPA (Site code 004236), in view of the site's conservation objectives and a Stage 2 Appropriate Assessment is not therefore required for this site.

#### **10.5.** Appropriate Assessment

- 10.5.1. The following is an objective assessment of the implications of the proposal in view of relevant conservation objectives of the above referenced European Sites which have been screened in. All aspects of the project which could result in significant effects are assessed and mitigation measures designed to avoid or reduce any adverse effects on site integrity are examined and assessed for effectiveness. The following Guidance has been adhered to in my assessment:
  - DoEHLG (2009). Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities. Department of the Environment, Heritage and Local Government, National Parks and Wildlife Service, Dublin,
  - EC (2021) Assessment of plans and projects significantly affecting Natura 2000 sites. Revised Methodological guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EC, and,
  - EC (2018) Managing Natura 2000 sites. The provisions of Article 6 of the Habitats Directive 92/43/EEC.
- 10.5.2. Table Nos. 10.2-10.6 below provides an objective scientific assessment of the implications of the proposed development on the relevant qualifying interest features of each European Site.

#### **10.6.** In-Combination Effects

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- 10.6.1. The development is catered for through land use planning, including the Louth County Development Plan, 2021-2027, covering the location of the application site. This has been subject to AA by the Planning Authority, which concluded that its implementation would not result in significant adverse effects to the integrity of any Natura 2000 areas.
- 10.6.2. In-combination effects have been considered in Section 2.2 of the NIS and it is indicated that a desk-based analysis was undertaken of other plans and projects in the surrounding area. It is highlighted that the majority of applications were for changes-of-use in existing buildings, or small-scale works such as extensions to commercial premises. However, 3 no. developments of moderate scale were noted by the Applicant, as follows:
  - 18/1056: Permission granted in 2020 for the demolition of existing derelict structures and the construction of 41 no. apartments. The application was accompanied by an NIS, which concluded that the development posed no risk of impacts on European sites. An amendment permission was granted (Ref. 20/763) to increase the height of the buildings and the number of residential units. I note that this building has now been completed.
  - ABP-308224-20: Permission granted for extensive refurbishment of St Dominick's Bridge, which adjoins the south-eastern corner of the Masterplan Area. The application was accompanied by an NIS. I note that the works have now been completed and the bridge is open to the public.
  - ABP 308226-20: Permission granted for extensive refurbishment of Obelisk Bridge, which is located approx. 4.1km west of the site. The application was accompanied by an NIS and works had commenced when the NIS was prepared.
- 10.6.3. Having reviewed the Planning Authority's online planning application register, I note that there are other residential and commercial related permissions within the wider surrounds which are typical of the area's urban location. Of note, permission was granted by the Board in April 2024 (ABP-315460-23) for c. 1.6km stretch of the Boyne Greenway along the northern bank of the River Boyne. This is located c. 150m to the west of the subject site and the application was accompanied by an NIS. Other permissions have been listed in the cumulative assessment provided in Chapter 20

(Cumulative Impacts) and each individual technical chapter of the EIAR. I have reviewed this list, in addition to reviewing the National Planning Application Database (NPAD) to identify any applications with the potential to have an in-combination effect in terms of Appropriate Assessment. Having regard to the scale, nature and location of the proposed development, I have not identified any planning permissions which, in combination with the project, would be likely to have a potential in-combination effect. Therefore, I conclude that the proposed development would have no likely significant effect in combination with other plans and projects on the qualifying features of any European site(s).

Summary of Key is	ssues that could give rise to adverse effects	5:			
<ul> <li>Impacts to y</li> </ul>	water quality through construction related pollu	tion events (e.g. chemicals, o	il/fuel, cementitious ma	aterials etc.) or sediment	s/silt run-off.
- Disturbance	e and or displacement of species listed as	qualifying interests due to	potential water qua	lity impacts during cor	nstruction or disturbance of
foraging/co	mmuting routes or breeding habitats.				
<ul> <li>Habitat loss</li> </ul>	s, fragmentation or alteration.				
<b>Conservation Obje</b>	ectives: CO002299.pdf (npws.ie)				
Summary of Appro	opriate Assessment				
Qualifying Interest feature	Conservation Objectives Targets and attributes	Potential adverse effects	In-combination effects	Mitigation measures	Can adverse effects on integrity be excluded?
7230 Alkaline fens	<ul> <li>To maintain the favourable conservation condition of Alkaline fens in River Boyne and River Blackwater SAC, which is defined by the following list of attributes and targets: <ul> <li>Habitat area stable or increasing, subject to natural processes</li> <li>No decline to habitat distribution, subject to natural processes</li> <li>Ecosystem function: soil nutrients: Maintain soil pH and nutrient status within natural ranges</li> <li>Ecosystem function: peat formation: Maintain active peat formation, where appropriate</li> <li>Ecosystem function: hydrology - groundwater levels: Maintain, or where necessary restore, appropriate natural hydrological regimes necessary to support the natural structure and functioning of the habitat</li> <li>Ecosystem function: hydrology - surface water flow: Maintain, or where necessary restore, as close as possible to natural or semi-natural, drainage conditions</li> <li>Ecosystem function: water quality:</li> </ul> </li> </ul>	No The Boyne is estuarine in the vicinity of the site and for at least 5 km upstream, so it is unsuitable for any freshwater habitats / species. No alkaline fen is found in the vicinity of the site and the main areas of alkaline fen in this site are concentrated in the vicinity of Lough Shesk, Freehan Lough and Newtown Lough (i.e. c. 45km to the west). Having regard to the separation distances between these locations and the subject site, and scale and nature of the proposed development, no potential indirect impacts during construction or operational phases are anticipated on this QI.	None	No mitigation required.	Yes No potential for adverse direct or indirect effects.

Table 10.2: River Boyne and Blackwater SAC (Site Code:002299)

Maintain appropriate water quality		
particularly pH and nutrient levels, to support the natural structure and functioning of the babitat		
<ul> <li>Vegetation composition: community diversity: Maintain variety of vegetation communities, subject to natural processes</li> </ul>		
<ul> <li>Vegetation composition: typical brown mosses: Maintain adequate cover of typical brown moss species</li> </ul>		
<ul> <li>Vegetation composition: typical vascular plants: Maintain adequate cover of typical vascular plant species</li> </ul>		
<ul> <li>Vegetation composition: native negative indicator species: Cover of native negative indicator species at insignificant levels</li> </ul>		
<ul> <li>Vegetation composition: non-native species: Cover of non-native species less than 1%</li> </ul>		
<ul> <li>Vegetation composition: native trees and shrubs: Cover of scattered native trees and shrubs less than 10%</li> </ul>		
<ul> <li>Vegetation composition: algal cover: Cover of algae less than 2%</li> </ul>		
<ul> <li>Vegetation structure: vegetation height: At least 50% of the live leaves/flowering shoots are more than either 5cm or 15cm above ground surface depending on community type</li> </ul>		
<ul> <li>Physical structure: disturbed bare ground: Cover of disturbed bare ground not more than 10%</li> </ul>		
<ul> <li>Physical structure: tufa formations: Disturbed proportion of vegetation cover where tufa is present is less than</li> </ul>		

	<ul> <li>1%</li> <li>Indicators of local distinctiveness: No decline in distribution or population sizes of rare, threatened or scarce species associated with the habitat; maintain features of local distinctiveness, subject to natural processes</li> <li>Transitional areas between fen and adjacent habitats : Maintain adequate transitional areas to support/protect the alkaline fen ecosystem and the services it provides</li> </ul>				
91E0 Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae)*	<ul> <li>To restore the favourable conservation condition of Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae)* in River Boyne and River Blackwater SAC, which is defined by the following list of attributes and targets: <ul> <li>Habitat area stable or increasing, subject to natural processes.</li> <li>No decline in habitat distribution, subject to natural processes.</li> <li>Woodland size area stable or increasing. Where topographically possible, "large" woods at least 25ha in size and "small" woods at least 3ha in size</li> <li>Woodland structure: cover and height :Total canopy cover at least 30%; median canopy height at least 7m; native shrub layer cover at least 20% and height at least 20cm; bryophyte cover at least 4%</li> <li>Woodland structure: community</li> </ul> </li> </ul>	Yes Alluvial forests not recorded by the Applicant. However, The Conservation Objectives document shows a large area of alluvial forest around the 'Boyne River Islands' to the south of Tullyallen, just upstream of the M1 motorway crossing (c. 2.5km west of the site). Narrow strips of woodland occur elsewhere in the SAC. Given the tidal nature of this section of the River Boyne, siltation or pollution could decrease water quality negatively impacting on the habitat area during the construction phase.	None	See Section 10.7 below which provides details of all mitigation measures. These include the engagement of ecological Clerk of Works, pollution prevention measures and mitigation for concrete and cement, suspended sediments and hydrocarbons and chemicals.	Yes No doubt as to the effectiveness or implementation of mitigation measures proposed to prevent direct or indirect effects on integrity

			1	
	diversity and extent: Maintain diversity and extent of community types			
-	Woodland structure: natural			
	pole age-classes of target species for			
	species occur in adequate proportions			
-	Hydrological regime: flooding			
	depth/height of water table: Appropriate hydrological regime necessary for maintenance of alluvial			
	vegetation			
-	Woodland structure: dead wood: At least 19 stems/ha of dead wood of at least 20cm diameter			
-	Woodland structure: veteran trees: No decline in woodland structure			
-	Woodland structure: indicators of local distinctiveness: No decline in distribution and, in the case of red listed and other rare or localised species, population size			
-	Woodland structure: indicators of overgrazing: All five indicators of overgrazing absent			
-	Vegetation composition: native tree cover: No decline. Native tree cover at least 90% of canopy; target species cover at least 50% of canopy			
-	Vegetation composition: typical species: At least 1 target species for 91E0* woodlands present; at least 6 positive indicator species for 91E0* woodlands present			
-	Vegetation composition: negative indicator species: Negative indicator			

1099 River Lamprey Lampetra fluviatili	<ul> <li>species cover not greater than 10%; regeneration of negative indicator species absent</li> <li>Vegetation composition: problematic native species: Cover of common nettle (Urtica dioica) less than 75%</li> <li>To restore the favourable conservation condition of River Lamprey (Lampetra fluviatilis) in River Boyne and River Blackwater SAC, which is defined by the following list of attributes and targets: <ul> <li>Distribution: Restore access to all water courses down to first order streams</li> <li>Distribution of larvae: Not less than 50% of sample sites with suitable habitat positive for larval brook/river lamprey</li> <li>Population structure of larvae: At least three age/size classes of larval brook/river lamprey in sites with suitable habitat more than 5/m<sup>2</sup></li> <li>Extent and distribution of spawning nursery habitat: No decline in extent and distribution of spawning and nursery beds</li> </ul> </li> </ul>	Yes River lamprey are reported in the Site Synopsis to be "present in the lower reaches of the Boyne River", but no other information is provided. The estuarine section of the Boyne is brackish, tidal and consists of fine silt, so it is not suitable for spawning. However, adult river lamprey also migrate from rivers to oceans, so they would occasionally pass by the site during these migration events. Siltation or pollution could decrease water quality resulting in a potential negative effect on population and habitat for the QI during the construction phase.	None	See Section 10.7 below which provides details of all mitigation measures. These include the engagement of ecological Clerk of Works, pollution prevention measures and mitigation for concrete and cement, suspended sediments and hydrocarbons and chemicals.	Yes No doubt as to the effectiveness or implementation of mitigation measures proposed to prevent direct or indirect effects on integrity
1106 Salmon	I O restore the favourable conservation	Yes Solmon are wideenrood in	None	See Section 10.7	Yes No doubt on to the
Saino Salai	River Boyne and River Rischwater SAC	the SAC They shown in		provides details of all	effectiveness
	which is defined by the following list of	freshwater babitate and it		mitigation	implementation of mitigation
	attributes and targets:	is noted in the Site		magauon maggurag These	moscures proposed to
		Synopoin that column "		include the	nieasules ploposed to
	<ul> <li>Distribution: extent of anadromy: 100%</li> </ul>	Synopsis that salmon "use		include the	prevent direct or indirect

	of river channels down to second order	the tributaries and	engagement of effects on integrity
	accessible from estuary,	headwaters as spawning	ecological Clerk of
	- Adult spawning fish: Conservation limit	grounds". Salmon migrate	Works, pollution
	(CL) for Adult spawning fish for each	from rivers to oceans (and	prevention
	system consistently exceeded	vice versa) at stages of	measures and
	- Salmon fry abundance. Maintain or	their life cycle, so they	mitigation for
	exceed 0+ fry mean catchment-wide	would pass by the site	concrete and
	abundance threshold value. Currently	during these migration	cement, suspended
	set at 17 salmon frv/5 minutes	events.	sediments and
	sampling		hydrocarbons and
	- Out-migrating smolt abundance: No	Siltation or pollution could	chemicals.
	significant decline	decrease water quality	
	Number and distribution of radday No.	during the construction	
	- Number and distribution of redus. No	phase.	
	spawping redds due to anthropogenic		
	- Water quality: At least Q4 at all aiter		
	- Water quality. At least Q4 at all sites		
1255 Ottor Lutro	To maintain the foreurable concernation	Van None	See Section 10.7 Vec
lutro	andition of Ottor (Lutro Lutro) in Diver Dovno	res	below which
lulla	and River Blackwater SAC, which is defined	Other are reported to be	provides details of all Ne devict as to the
	by the following list of attributes and targets:	Oller are reported to be	mitigation
	Distribution: No significant dealing in	SAC both in freshwater	measures These implementation of mitigation
	- Distribution: No significant decline in	and estuarine sections of	include the measures proposed to
		the Boyne. The Site was	engagement of prevent direct or indirect
	- Extent of terrestrial habitat: No	searched for holts and	ecological Clerk of effects on integrity
	significant decline. Area mapped and	other otter field signs by	Works, pollution
	calculated as 447.6ha along river	NM Ecology I td on a	prevention
	banks/ lake shoreline/around ponds	number of occasions	measures and
	- Extent of freshwater (river) habitat: No	between April 2021 and	mitigation for
	significant decline. Length mapped	October 2023, but none	concrete and
	and calculated as 263.3km	were found, so there is no	cement, suspended
	<ul> <li>Extent of freshwater (lake) habitat: No</li> </ul>	possibility that ottars bread	sediments and
	significant decline. Area mapped and	or rest within the site. This	hydrocarbons and
	significant decline. Area mapped and calculated as 31.6ha	or rest within the site. This is because the vertical rock	hydrocarbons and chemicals.
	<ul> <li>significant decline. Area mapped and calculated as 31.6ha</li> <li>Couching sites and holts: No</li> </ul>	or rest within the site. This is because the vertical rock gabions along the adjacent	hydrocarbons and chemicals.

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and holts - Fish biomass available: No significant decline in fish biomass - Barriers to connectivity: No significant increase in barriers to connectivity	prevent Otters from leaving the river at this location. However, they are likely to forage along the estuary in the vicinity of the site, as part of a much larger territory.		
	Siltation or pollution, could decrease water quality during the construction phase which may impact on the availability of fish biomass.		

Integrity test: Following the implementation of mitigation, the construction and operation of the proposed development will not adversely affect the integrity of the River Boyne and River Blackwater SAC in light of the site's Conservation Objectives. No reasonable scientific doubt remains as to the absence of such effects.

ary SPA (Site Code 004080)				
s that could give rise to adverse effects:				
r quality through construction related pollution	events (e.g. chemicals, o	il/fuel, cementitious ma	terials etc.) or sediment	ts/silt run-off.
es: Boyne Estuary SPA   National Parks & Wi	Idlife Service (npws.ie)			
te Assessment				
Conservation Objectives Targets and	Potential adverse	In-combination	Mitigation	Can adverse effects on
attributes	effects	effects	measures	integrity be excluded?
To maintain the favourable conservation	Yes	None	See Section 10.7	Yes
condition of the QI in Boyne Estuary SPA,			below which	
which is defined by the following list of	Bird surveys were not		provides details of all	No doubt as to the
attributes and targets:	considered necessary		mitigation	effectiveness or
- Population trend: Long term	because the site does		measures. These	implementation of mitigation
population trend stable or increasing	not contain any		include the	measures proposed to
- Distribution: No significant decrease	habitats suitable for		engagement of	prevent direct or indirect
in the range timing or intensity of use	bird species associated		ecological Clerk of	effects on integrity
of areas by the OL other than that	with the SPA. The		Works, pollution	
occurring from natural natterns of	majority of the Site		prevention	
variation	consists of artificial		measures and	
	<ul> <li>Iary SPA (Site Code 004080)</li> <li>s that could give rise to adverse effects:</li> <li>r quality through construction related pollution</li> <li>Boyne Estuary SPA   National Parks &amp; Wite Assessment</li> <li>Conservation Objectives Targets and attributes</li> <li>To maintain the favourable conservation condition of the QI in Boyne Estuary SPA, which is defined by the following list of attributes and targets:         <ul> <li>Population trend: Long term population trend stable or increasing</li> <li>Distribution: No significant decrease in the range, timing or intensity of use of areas by the QI, other than that occurring from natural patterns of variation</li> </ul> </li> </ul>	Iary SPA (Site Code 004080)s that could give rise to adverse effects:r quality through construction related pollution events (e.g. chemicals, or quality through construction related pollution events (e.g. chemicals, oes: Boyne Estuary SPA   National Parks & Wildlife Service (npws.ie)te AssessmentConservation Objectives Targets and attributesPotential adverse effectsTo maintain the favourable conservation condition of the QI in Boyne Estuary SPA, which is defined by the following list of attributes and targets:Yes-Population trend: Long term population trend stable or increasing in the range, timing or intensity of use of areas by the QI, other than that occurring from natural patterns of variationBird surveys were not considered necessary because the site does not contain any habitats suitable for bird species associated with the SPA. The majority of the Site consists of artificial	ary SPA (Site Code 004080)s that could give rise to adverse effects:r quality through construction related pollution events (e.g. chemicals, oil/fuel, cementitious maes: Boyne Estuary SPA   National Parks & Wildlife Service (npws.ie)te AssessmentConservation Objectives Targets and attributesPotential effectsadverse effectsTo maintain the favourable conservation condition of the Ql in Boyne Estuary SPA, which is defined by the following list of attributes and targets:YesNone-Population trend: Long term population trend stable or increasing in the range, timing or intensity of use of areas by the QI, other than that occurring from natural patterns of variationYesNone	ary SPA (Site Code 004080)s that could give rise to adverse effects:r quality through construction related pollution events (e.g. chemicals, oil/fuel, cementitious materials etc.) or sedimentes: Boyne Estuary SPA   National Parks & Wildlife Service (npws.ie)te AssessmentConservation Objectives Targets and attributesPotential effectsIn-combination effectsMitigation measuresTo maintain the favourable conservation condition of the QI in Boyne Estuary SPA, which is defined by the following list of attributes and targets:YesNoneSee Section 10.7 below- Population trend: Long term population trend stable or increasing of areas by the QI, other than that occurring from natural patterns of variationTo significant decrease with the SPA. The majority of the Site consists of artificialNoneSee Colspan="2">Secolspan="2">Secolspan="2">Colspan="2">Secolspan="2">Secolspan="2">Colspan="2">Conservation gene=2

A143 Knot Calidris		surfaces, which are		mitigation for	
canutus		unsuitable for any of		concrete and	
A144 Sanderling		these species. There is		cement, suspended	
Calidris alba		a narrow strip of		sediments and	
A156 Black-tailed		grassland at the		hydrocarbons and	
Godwit Limosa limos		'Medieval Wall		chemicals	
A162 Podebank Tringa		Character Area' but it		chemicaler	
totopus		is too small overgrown			
		and subject to existing			
Aronaria interpres		human disturbance to			
Arenana interpres		be used by any SPA			
		species			
		species.			
		Howing regard to the			
		naving regard to the			
		nature, scale of the			
		dovelopment its urban			
		leastion behitets to be			
		directly imposted by			
		the worke and the			
		the works and the			
		in unlikely that the			
		is unlikely that the			
		proposal would			
		significantly disturb the			
		QIS.			
		However, siltation or			
		pollution could			
		decrease water quality			
		during the construction			
		phase.			
A195 Little Tern Sterna	To maintain the favourable conservation	Yes	None	See Section 10.7	Yes
albifrons	condition of Little Tern in Boyne Estuary			below which	
	SPA, which is defined by the following list	Bird surveys were not		provides details of all	No doubt as to the
	of attributes and targets:	considered necessary		mitigation	effectiveness or
	- Breeding population abundance:	because the site does		measures. These	implementation of mitigation
	apparently occupied nests (AONs):	not contain any		include the	measures proposed to
	No significant decline	habitats suitable for		engagement of	prevent direct or indirect

	<ul> <li>Productivity rate: fledged young per breeding pair: No significant decline</li> <li>Distribution: breeding colonies: No significant decline</li> <li>Prey biomass available: No significant decline</li> <li>Barriers to connectivity: No significant increase</li> <li>Disturbance at the breeding site: Human activities should occur at levels that do not adversely affect the breeding little tern population</li> </ul>	bird species associated with the SPA. Having regard to the nature, scale of the proposed development, its urban location, habitats to be directly impacted by the works and the duration of the works, it is unlikely that the proposal would significantly disturb the QIs. However, siltation or pollution could decrease water quality during the construction phase.		ecological Clerk of Works, pollution prevention measures and mitigation for concrete and cement, suspended sediments and hydrocarbons and chemicals.	effects on integrity
A999 Wetlands	<ul> <li>To maintain the favourable conservation condition of the wetland habitat in Boyne Estuary SPA as a resource for the regularly-occurring migratory waterbirds that utilise it. This is defined by the following attribute and target:</li> <li>Habitat area: The permanent area occupied by the wetland habitat should be stable and not significantly less than the area of 594ha, other than that occurring from natural patterns of variation</li> </ul>	Yes Siltation or pollution could decrease water quality during the construction phase negatively impacting on habitat area.	None	See Section 10.7 below which provides details of all mitigation measures. These include the engagement of ecological Clerk of Works, pollution prevention measures and mitigation for concrete and cement, suspended sediments and hydrocarbons and chemicals.	Yes

Integrity test: Following the implementation of mitigation, the construction and operation of the proposed development will not adversely affect the integrity of the Boyne Estuary SPA in light of the site's Conservation Objectives. No reasonable scientific doubt remains as to the absence of such effects.

Table 10.4: Boyne Coast and Estuary SAC (Site Code 001957)						
Summary of Key issue	s that could give rise to adverse effects:					
- Impacts to wate	r quality through construction related pollution	events (e.g. chemicals, o	il/fuel, cementitious ma	terials etc.) or sedimen	ts/silt run-off.	
<b>Conservation Objectiv</b>	es: Boyne Coast and Estuary SAC   National	Parks & Wildlife Service (	npws.ie)			
Summary of Appropria	ite Assessment					
Qualifying Interest	Conservation Objectives Targets and	Potential adverse	In-combination	Mitigation	Can adverse effects on	
feature	attributes	effects	effects	measures	integrity be excluded?	
1130 Estuaries	<ul> <li>To maintain the favourable conservation condition of Estuaries in Boyne Coast and Estuary SAC, which is defined by the following list of attributes and targets: <ul> <li>Habitat area: The permanent habitat area is stable or increasing, subject to natural processes. See map 3</li> <li>Community distribution: Conserve the following community types in a natural condition: Intertidal estuarine mud and fine sand with Hediste diversicolor and Corophium volutator community; and Subtidal fine sand dominated by polychaetes community. See map 5</li> </ul> </li> </ul>	Yes. Strong hydrological connection exists from subject site to the SAC via Boyne River. Siltation or pollution could decrease water quality during the construction phase negatively impacting on habitat area.	None	See Section 10.7 below which provides details of all mitigation measures. These include the engagement of ecological Clerk of Works, pollution prevention measures and mitigation for concrete and cement, suspended sediments and hydrocarbons and chemicals.	Yes No doubt as to the effectiveness or implementation of mitigation measures proposed to prevent direct or indirect effects on integrity	
1140 Mudflats and sandflats not covered by seawater at low tide	<ul> <li>To maintain the favourable conservation condition of Mudflats and sandflats not covered by seawater at low tide in Boyne Coast and Estuary SAC, which is defined by the following list of attributes and targets:</li> <li>Habitat area: The permanent habitat area is stable or increasing, subject to natural processes. See map 4</li> <li>Community distribution: Conserve the following community types in a</li> </ul>	Yes. Strong hydrological connection exists from subject site to the SAC via Boyne River. Siltation or pollution could decrease water quality during the	None	See Section 10.7 below which provides details of all mitigation measures. These include the engagement of ecological Clerk of Works, pollution prevention measures and	Yes No doubt as to the effectiveness or implementation of mitigation measures proposed to prevent direct or indirect effects on integrity	

	natural condition: Intertidal estuarine	construction phase		mitigation for	
	mud and fine sand with Hediste	negatively impacting		concrete and	
	diversicolor and Corophium volutator	on habitat area.		cement. suspended	
	community: and Fine sand dominated			sediments and	
	by bivalves community complex. See			hvdrocarbons and	
	map 5			chemicals.	
1310 Salicornia and	To restore the favourable conservation	Yes.	None	See Section 10.7	Yes
other annuals	condition of Salicornia and other annuals			below which	
colonizing mud and	colonizing mud and sand in Boyne Coast	Strong hydrological		provides details of all	No doubt as to the
sand	and Estuary SAC, which is defined by the	connection exists from		mitigation	effectiveness or
	following list of attributes and targets:	subject site to the SAC		measures. These	implementation of mitigation
	- Habitat area: Area stable or	via Boyne River.		include the	measures proposed to
	increasing, subject to natural			engagement of	prevent direct or indirect
	processes, including erosion and	Siltation or pollution			effects on integrity
	succession. For sub-sites mapped:	could decrease water		provention	
	Baltray- 2.91ha, Mornington- 1.14ha.	quality during the		measures and	
	See map 6	construction phase		mitigation for	
	- Habitat distribution: No decline or	negatively impacting		concrete and	
	change in habitat distribution, subject	on habitat area.		cement suspended	
	to natural processes. See map 6 for			sediments and	
	known distribution			hydrocarbons and	
	- Physical structure: sediment supply:			chemicals.	
	Maintain/restore natural circulation of				
	sediments and organic matter,				
	without any physical obstructions				
	- Physical structure: creeks and pans:				
	Maintain creek and pan structure,				
	subject to natural processes,				
	including erosion and succession				
	- Physical structure: flooding regime:				
	Maintain natural tidal regime				
	- Vegetation structure; zonation:				
	Maintain the range of coastal habitats				
	including transitional zones. subject				
	to natural processes including erosion				
	and succession				
	- Vegetation structure: vegetation				

1330 Atlantic salt	<ul> <li>Vegetation structure: vegetation cover: Maintain more than 90% of area outside creeks vegetated</li> <li>Vegetation composition: typical species and sub-communities: Maintain the presence of species poor communities with typical species listed in the Saltmarsh Monitoring Project (McCorry and Ryle, 2009)</li> <li>Vegetation structure: negative indicator species- Spartina anglica: No significant expansion of common cordgrass (Spartina anglica), with an annual spread of less than 1%</li> </ul>	Yes.	None	See Section 10.7	Yes
meadows (Glauco- Puccinellietalia maritimae)	<ul> <li>condition of Atlantic salt meadows (Glauco-Puccinellietalia) in Boyne Coast and Estuary SAC, which is defined by the following list of attributes and targets:</li> <li>Habitat area: Area stable or increasing, subject to natural processes, including erosion and succession. For sub-sites mapped: Baltray- 17.67ha, Mornington-8.76ha. See map 6</li> <li>Habitat distribution: No decline or change in habitat distribution, subject to natural processes. See map 6 for known distribution</li> <li>Physical structure: sediment supply: Maintain natural circulation of sediments and organic matter, without any physical obstructions</li> <li>Physical structure: creeks and pans: Maintain creek and pan structure,</li> </ul>	Strong hydrological connection exists from subject site to the SAC via Boyne River. Siltation or pollution could decrease water quality during the construction phase negatively impacting on habitat area.		below which provides details of all mitigation measures. These include the engagement of ecological Clerk of Works, pollution prevention measures and mitigation for concrete and cement, suspended sediments and hydrocarbons and chemicals.	No doubt as to the effectiveness or implementation of mitigation measures proposed to prevent direct or indirect effects on integrity

	<ul> <li>subject to natural processes, including erosion and succession</li> <li>Physical structure: flooding regime: Maintain natural tidal regime</li> <li>Vegetation structure: zonation: Maintain the range of coastal habitats including transitional zones, subject to natural processes including erosion and succession</li> <li>Vegetation structure: vegetation height: Maintain structural variation within sward</li> <li>Vegetation structure: vegetation cover: Maintain more than 90% of area outside creeks vegetated</li> <li>Vegetation composition: typical species and sub-communities: Maintain range of sub- communities with typical species listed in Saltmarsh Monitoring Project (McCorry and Ryle, 2009)</li> <li>Vegetation structure: negative indicator species - Spartina anglica: No significant expansion of common cordgrass (Spartina anglica), with an</li> </ul>				
1410 Mediterranean salt meadows (Juncetalia maritimi)	The status of Mediterranean salt meadows (Juncetalia maritimi) as a qualifying Annex I habitat for Boyne Coast and Estuary SAC is currently under review. The outcome of this review will determine whether a site- specific conservation objective is set for this habitat. No specific attributes or targets identified for the QI.	Yes. Strong hydrological connection exists from subject site to the SAC via Boyne River. Siltation or pollution could decrease water quality during the construction phase	None	See Section 10.7 below which provides details of all mitigation measures. These include the engagement of ecological Clerk of Works, pollution prevention measures and	Yes No doubt as to the effectiveness or implementation of mitigation measures proposed to prevent direct or indirect effects on integrity

		negatively impacting		mitigation for	
		on habitat area.		concrete and	
				cement, suspended	
				sediments and	
				hydrocarbons and	
				chemicals.	
2110 Embryonic shifting dunes	<ul> <li>To restore the favourable conservation condition of Embryonic shifting dunes in Boyne Coast and Estuary SAC, which is defined by the following list of attributes and targets: <ul> <li>Habitat area: Area stable or increasing, subject to natural processes, including erosion and succession. For sub-sites mapped: Baltray- 2.52ha, Mornington- 0.67ha. See map 7</li> <li>Habitat distribution: No decline or change in habitat distribution, subject to natural processes. See map 7 for known distribution</li> <li>Physical structure: functionality and sediment supply: Maintain the natural circulation of sediment and organic matter, without any physical obstructions</li> <li>Vegetation structure: zonation: Maintain the range of coastal habitats including transitional zones, subject to natural processes including erosion and succession</li> <li>Vegetation composition: plant health of foredune grasses: More than 95% of sand couch (Elytrigia juncea) and/or lyme- grass (Leymus arearing) should be health of foredune</li> </ul> </li> </ul>	Yes. Strong hydrological connection exists from subject site to the SAC via Boyne River. Siltation or pollution could decrease water quality during the construction phase negatively impacting on habitat area.	None	chemicals. See Section 10.7 below which provides details of all mitigation measures. These include the engagement of ecological Clerk of Works, pollution prevention measures and mitigation for concrete and cement, suspended sediments and hydrocarbons and chemicals.	Yes No doubt as to the effectiveness or implementation of mitigation measures proposed to prevent direct or indirect effects on integrity
	green plant parts above ground and				

	<ul> <li>flowering heads present)</li> <li>Vegetation composition: typical species and sub-communities: Maintain the presence of species-poor communities with typical species: sand couch</li> <li>Vegetation composition: negative indicator species: Negative indicator species: Negative indicator species (including non-natives) to represent less than 5% cover (Elytrigia juncea) and/or lyme-grass (Leymus arenarius)</li> </ul>				
2120 Shifting dunes along the shoreline with Ammophila arenaria ('white dunes')	<ul> <li>To restore the favourable conservation condition of Shifting dunes along the shoreline with Ammophila arenaria (white dunes) in Boyne Coast and Estuary SAC, which is defined by the following list of attributes and targets: <ul> <li>Habitat area: Area stable or increasing, subject to natural processes including erosion and succession. For sub-sites mapped: Baltray- 2.97ha, Mornington- 1.99ha. See map 7</li> <li>Habitat distribution: No decline or change in habitat distribution, subject to natural processes. See map 7 for known distribution</li> <li>Physical structure: functionality and sediment supply: Maintain the natural circulation of sediment and organic matter, without any physical obstructions</li> <li>Vegetation structure: zonation: Maintain the range of coastal habitats including transitional zones, subject to natural processes including erosion</li> </ul> </li> </ul>	Yes. Strong hydrological connection exists from subject site to the SAC via Boyne River. Siltation or pollution could decrease water quality during the construction phase negatively impacting on habitat area.	None	See Section 10.7 below which provides details of all mitigation measures. These include the engagement of ecological Clerk of Works, pollution prevention measures and mitigation for concrete and cement, suspended sediments and hydrocarbons and chemicals.	Yes No doubt as to the effectiveness or implementation of mitigation measures proposed to prevent direct or indirect effects on integrity

	<ul><li>and succession</li><li>Vegetation composition: plant health</li></ul>				
	of dune grasses: More than 95% of marram (Ammophila areanaria) and/or lyme-grass (Leymus arenarius) should be healthy (i.e. green plant parts above ground and flowering heads present)				
	<ul> <li>Vegetation composition: typical species and sub-communities: Maintain the presence of species- poor communities dominated by marram</li> </ul>				
	<ul> <li>Vegetation composition: negative indicator species: Negative indicator species (including non-natives) to represent less than 5% cover (Ammophila arenaria) and/or lyme- grass (Leymus arenarius)</li> </ul>				
2130 *Fixed coastal dunes with herbaceous vegetation ('grey dunes')	<ul> <li>To restore the favourable conservation condition of Fixed coastal dunes with herbaceous vegetation (grey dunes) in Boyne Coast and Estuary SAC, which is defined by the following list of attributes and targets:</li> <li>Habitat area: Area increasing, subject to natural processes including erosion and succession. For sub-sites mapped: Baltray-26.41ha; Mornington- 20.46ha. See map 7</li> <li>Habitat distribution: No decline or change in habitat distribution, subject to natural processes. See map 7 for</li> </ul>	Yes. Strong hydrological connection exists from subject site to the SAC via Boyne River. Siltation or pollution could decrease water quality during the construction phase negatively impacting on habitat area.	None	See Section 10.7 below which provides details of all mitigation measures. These include the engagement of ecological Clerk of Works, pollution prevention measures and mitigation for concrete and cement, suspended sediments and	Yes No doubt as to the effectiveness or implementation of mitigation measures proposed to prevent direct or indirect effects on integrity
	<ul> <li>Physical structure: functionality and sediment supply: Maintain the natural</li> </ul>			hydrocarbons and chemicals.	

	circulation of sediment and organic matter, without any physical obstructions	
	<ul> <li>Vegetation structure: zonation: Maintain the range of coastal habitats including transitional zones, subject to natural processes including erosion and succession</li> </ul>	
	<ul> <li>Vegetation structure: bare ground: Bare ground should not exceed 10% of fixed dune habitat, subject to natural processes</li> </ul>	
	<ul> <li>Vegetation composition: sward height: Maintain structural variation within sward</li> </ul>	
	<ul> <li>Vegetation composition: typical species and sub-communities: Maintain range of sub- communities with typical species listed in Ryle et al. (2009)</li> </ul>	
	<ul> <li>Vegetation composition: negative indicator species: Negative indicator species (including non-natives) to represent less than 5% cover</li> </ul>	
	<ul> <li>Vegetation composition: scrub/trees: No more than 5% cover or under control</li> </ul>	
Overall conclusion:		

Integrity test: Following the implementation of mitigation, the construction. operation and decommissioning of the proposed development will not adversely affect the integrity of the Boyne Coast and Estuary SAC in light of the site's Conservation Objectives. No reasonable scientific doubt remains as to the absence of such effects.

Table 10.5: River Boyne and River Blackwater SPA (Site Code 004232)

Summary of Key issues that could give rise to adverse effects:

- Impacts to water quality through construction related pollution events (e.g. chemicals, oil/fuel, cementitious materials etc.) or sediments/silt run-off. Conservation Objectives: River Boyne and River Blackwater SPA | National Parks & Wildlife Service (npws.ie)

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Summary of Appropria	ite Assessment				
Qualifying Interest	Conservation Objectives Targets and	Potential adverse	In-combination	Mitigation	Can adverse effects on
feature	attributes	effects	effects	measures	integrity be excluded?
A229 Kingfisher	To maintain or restore the favourable	Yes	None	See Section 10.7	Yes
Alcedo atthis	conservation condition of the bird species			below which	
	listed as Special Conservation Interests for	Bird surveys were not		provides details of all	No doubt as to the
	this SPA	considered necessary		mitigation	effectiveness or
		because the site does		measures. These	implementation of mitigation
		not contain any		include the	measures proposed to
		habitats suitable for		engagement of	prevent direct or indirect
		bird species associated		ecological Clerk of	effects on integrity
		with the SPA. The		Works, pollution	
		majority of the Site		prevention	
		consists of artificial		measures and	
		surfaces, which are		mitigation for	
		unsuitable for any of		concrete and	
		these species. There is		cement, suspended	
		a narrow strip of		sediments and	
		grassland at the		hydrocarbons and	
		'Medieval Wall		chemicals.	
		Character Area', but it			
		is too small, overgrown			
		and subject to existing			
		human disturbance to			
		be used by any SPA			
		species.			
		Having regard to the			
		nature, scale of the			
		proposed			
		development, its urban			
		directly, habitats to be			
		the works and the			
		duration of the works			
		in unlikely that the			
		ns unlikely that the			
		proposal would			
		significantly disturb the			

	Qls.		
	However, noting the		
	tidal nature of the		
	Boyne at this location,		
	siltation or pollution		
	could decrease water		
	quality during the		
	construction phase.		
Overall conclusions		•	

**Overall conclusion:** 

Integrity test: Following the implementation of mitigation, the construction. operation and decommissioning of the proposed development will not adversely affect the integrity of the River Boyne and River Blackwater SPA in light of the site's Conservation Objectives. No reasonable scientific doubt remains as to the absence of such effects.

### 10.7. Mitigation Measures

10.7.1. A range of mitigation measures have been set out the construction phase of the proposed development. These are detailed in Section 6 of the Applicant's NIS and summarised in Table 10.6 below.

Table	10.6:	Mitigation
-------	-------	------------

Construction Phase		
Engagement of an Ecological	The construction contractor will employ an Ecological Clerk of Works (ECoW) to oversee the implementation of the mitigation measures outlined below. The	
Clerk of Works	ECoW will be required to provide reports and written correspondence to the Employers' Representative as requested, in order to demonstrate compliance with the measures outlined in this report. It is indicated that all works must be carried out in accordance with the mitigation measures outlined in the pCEMP, EIAR and the NIS and necessary planning conditions.	
Pollution Prevention Measures (Construction phase)	The mitigation measures have been designed to avoid or minimise any negative effects on water quality in the River Boyne and associated European sites by preventing fine sediments, concrete / cement, hydrocarbons or any other pollutants from reaching nearby drainage ditches or groundwater.	
	The construction compound with set up as part of the initial preparation works in each work area. The site compound will not be located adjacent to or beside the River Boyne and River Blackwater SAC. It is proposed that the site compound will be positioned outside of a 50m buffer zone from the edge of the river bank. If necessary, this requirement can be secured by the implementation of a planning condition.	
	The proposal includes for the demolition of the toilet block at Georges Square, a section of wall between Father Connelly Way and Old Abbey Lane and a section of wall along the eastern boundary of Dominick Street car park, as demonstrated in the accompanying planning drawings LOUX3001-P000-107-A, LOUX3001-P-000-108-A and LOUX3001-P-000-109-A]. All demolition will be undertaken by a competent demolition contractor in accordance with the current code for demolition and the consultant engineer's specification down to below foundation level. All works will be undertaken in accordance with current best practice.	
Concrete and cement	<ul> <li>On-site pouring and/or mixing of concrete or cement will be required during construction works, so the following measures will be implemented in order to retain all cement-based materials within the boundaries of the Site: <ul> <li>Concrete pouring / mixing will only take place in dry weather conditions. It will be suspended if high-intensity local rainfall events are forecast (e.g. &gt;10 mm/hr, &gt;25 mm in a 24 hour period or high winds)</li> <li>If any on-site mixing of concrete is required, it will be carried out at least 50m from the Boyne Estuary. If any cement-based products will be stored on-site, they will be kept in a sheltered area at least 50m from the Boyne Estuary, and will be covered (e.g. with a thick plastic membrane) to prevent spread by wind,</li> <li>Ready-mix lorries and larger plant will not be cleaned on-site; they will be taken to an appropriate off-site facility with capacity to capture and treat contaminated wash waters,</li> <li>If any on-site cleaning of tools or concrete-batching plant is required, it will take place at least 50m from the Boyne Estuary. Wash waters will be discharged to a soakaway.</li> </ul> </li> </ul>	
Suspended sediments	In order to retain all contaminated waters within the boundary of the site, the following measures will be implemented: - Excavation works will be suspended if high intensity local rainfall events are forecast (e.g. >10 mm/hr, >25 mm in a 24 hour period, or high winds).	

	<ul> <li>If any excavations need to be dewatered, the SS-contaminated water will be retained and treated within the boundary of the site. It will be collected and pumped into a settlement tank / pond (or similar feature), left undisturbed until sediments have settled, and then discharged via a buffered outflow to a soakaway that is at least 50m from the Boyne Estuary.</li> <li>Stockpiles of mud, sand or other fine sediments will be stored at least 50m from the Boyne Estuary. Stockpiles will be levelled and compacted, and will be covered with thick plastic membranes in order to limit wind/rainwater erosion,</li> <li>Dust suppression and road cleaning measures will be implemented, as outlined in Section 8 of the IFI guidelines.</li> </ul>
and chemicals	<ul> <li>measures will be applied throughout the construction works:</li> <li>Any fuel, oil or chemical containers will be kept at least 50m from the Boyne Estuary. These pollutants are hazardous and must be stored in a designated bunded area that has sufficient capacity to retain any spills,</li> <li>All machinery should be protected from vandalism and unauthorised interference, and will be turned off and securely locked overnight,</li> <li>If any on-site re-fuelling is required, it will take place at least 50m from the Boyne Estuary.</li> </ul>
	<ul> <li>While in operation, diesel pumps, generators or other similar equipment will be placed on drip trays to catch any leaks,</li> <li>A spill kit will be kept on-site. If any spills occur, appropriate measures will be taken to intercept hydrocarbons or chemicals on-site before they can leave the Site.</li> </ul>

## 10.8. Residual Effects

10.8.1. On foot of the employment of mitigation measures no adverse effects on the qualifying interests of River Boyne and River Blackwater SAC (Site Code 002299); Boyne Estuary SPA (Site Code 004080); Boyne Coast and Estuary SAC (Site Code 001957) and the River Boyne and River Blackwater SPA (Site Code 004232) are anticipated.

#### **10.9.** Appropriate Assessment Conclusions

- 10.9.1. Having carried out screening for Appropriate Assessment of the project, it was concluded that the proposed development may have a significant effect on the River Boyne and River Blackwater SAC (Site Code 002299); Boyne Estuary SPA (Site Code 004080); Boyne Coast and Estuary SAC (Site Code 001957) and the River Boyne and River Blackwater SPA (Site Code 004232) in view of the site's Conservation Objectives. Consequently, an Appropriate Assessment was required of the implications of the project on the qualifying features of those sites in light of their conservation objectives.
- 10.9.2. In summary, the NIS, and its supporting documentation (including the EIAR, Planning

Statement, Design Statement, SSFRA and the preliminary CEMP) provides adequate information in respect of baseline conditions, identifies the potential impacts of the proposed development, uses best scientific information and knowledge, and provides details of proposed mitigation measures. Having regard to the totality of the documentation on file, including the NIS, I am satisfied that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the River Boyne and River Blackwater SAC (Site Code 002299); Boyne Estuary SPA (Site Code 004080); Boyne Coast and Estuary SAC (Site Code 001957) and the River Boyne and River Blackwater SPA (Site Code 004232) in view of the sites' Conservation Objectives and there is no reasonable scientific doubt as to the absence of such effects.

# 11.0 Recommendation

**11.1.** Having regard to the foregoing assessment, I recommend that the Board approve the proposed development, for the following reasons and considerations and subject to the conditions, including requiring compliance with the submitted details and with the mitigation measures as set out in the EIAR and NIS.

# 12.0 Reasons and Considerations

- **12.1.** In coming to its decision, the Board had regard to the following:
  - a. The EU Directive (2014/52/EU),
  - b. The EU Habitats Directive (92/43/EEC),
  - c. The European Union (Birds and Natural Habitats) Regulations 2011-2015,
  - d. National Legislation including in particular:
    - Section 175 and section 177 of the Planning and Development Act, 2000 (as amended) which sets out the provisions in relation to Local Authority projects which are subject to Environmental Impact Assessment (EIA) and Appropriate Assessment (AA)
  - d. National, Regional Policy and Guidance including in particular:
    - National Planning Framework which supports the compact development and the regeneration of town centres,
    - The Regional Spatial and Economic Strategy for the Eastern and Midlands Region 2019-2031 which promotes the urban renewal of the Westgate area

of Drogheda,

- Town Centre First A Policy Approach for Irish Towns,
- The Design Manual for Urban Roads and Streets, which provides guidance on how to approach the design of urban streets in a more balanced way,
- Architectural Heritage Protection: Guidelines for Planning Authorities, 2011,
- e. The policies and objectives of the Louth County Development Plan 2021-2027,
- f. The nature and extent of the proposed works as set out in the application for approval,
- g. The documentation submitted, including the Environmental Impact Assessment Report, the Natura Impact Statement and associated documentation submitted with the application and the range of mitigation and monitoring measures proposed,
- h. The submissions and observations made to An Bord Pleanála in connection with the application,
- i. The likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the likely significant effects of the proposed development on a European Site,
- j. The conservation objectives, qualifying interests and special conservation interests for the River Boyne and River Blackwater SAC (Site Code 002299); Boyne Estuary SPA (Site Code 004080); Boyne Coast and Estuary SAC (Site Code 001957) and the River Boyne and River Blackwater SPA (Site Code 004232), and,
- k. The report and recommendation of the Inspector.

# 12.2. Proper Planning and Sustainable Development

The proposed development will provide regeneration works within the Westgate area of Drogheda that will highlight, completement and in many cases celebrate the area's rich architectural and archaeological heritage. The development will enhance and open up the riverfront to the public through the creation of shared spaces, will integrate and improve public access to features of archaeological and architectural interest and will improve access and permeability throughout the entire project area. It has been demonstrated that the proposed development is fully supported in local through to national policy and is in accordance with and supports the zoning objectives that pertains to the subject lands. It is considered that proposed public realm works represent an acceptable contribution towards place-making that will generate a largely positive impact on the amenities of the area. Subject to the conditions set out below, the Board concludes that the proposed public realm works are acceptable and are therefore, in accordance with the proper planning and sustainable development of the area.

#### 12.3. Environmental Impact Assessment

The Board completed an environmental impact assessment of the proposed development, taking into account:

- a. the nature, scale and extent of the proposed development;
- b. the Environmental Impact Assessment Report and associated documentation submitted in support of the application;
- c. the submissions from the observers and the prescribed body in the course of the application, and
- d. the Inspector's report

The Board considered that the environmental impact assessment report, supported by the documentation submitted by the applicant, adequately considers alternatives to the proposed development and identifies and describes adequately the direct, indirect, secondary and cumulative effects of the proposed development on the environment.

The Board agreed with the examination set out in the Inspector's report, of the information contained in the environmental impact assessment report and associated documentation submitted by the applicant and submissions made in the course of the application.

The Board considered, and agreed with the Inspectors reasoned conclusions, that the main significant direct and indirect effects of the proposed development on the environment are as follows:

Population and Human Health: The potential for significant adverse impacts on

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human health during the construction and operational phases can be avoided, managed, and mitigated by the measures that form part of the proposed development, the proposed mitigation measures and through suitable conditions. In addition, positive impacts on population and human health will include health and social/wellbeing benefits associated with the provision of a new public/open space in the town centre and the provision of a highly permeable layout within the project area which encourages walking and cycling.

**Biodiversity:** The proposed development will result in the permanent loss of the dry meadow habitat on the bridge embankment (the eastern side of George's St). When considered in isolation, this will have a negative impact on this habitat of Local importance. However, the proposed development will involve substantial landscape planting both along the riverfront and within the Medieval Wall character area (including trees, shrubs and groundcover) and this will enhance the biodiversity value of the site and will result in a moderate positive effect. In terms of the site's partial location within the River Boyne and River Blackwater SAC and its location both upstream and downstream of a number of European Sites, it is acknowledged that all of the gualifying interests of these Natura 2000 sites could potentially be vulnerable to waterborne pollutants, and mitigation measures will be necessary in order to avoid or reduce the potential impacts of pollution incidents. However, compliance with the suite of mitigation measures proposed will ensure that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the relevant European Sites, in view of their Conservation Objectives and there is no reasonable scientific doubt as to the absence of such effects. Overall, it is considered that potential impacts on biodiversity will be mitigated by the application of best practice construction methodologies and the application of the proposed mitigation measures, such that no significant adverse effects arise.

Land, Soil, Water, Air and Climate: In terms of water, there is potential for a deterioration of water quality of the River Boyne to the south of the site, arising from silt, dust and petrochemical pollution. However, the implementation of mitigation measures and compliance with suitable conditions will ensure that the potential impacts on the ground and surface water environment do not occur during the

construction and operational phase of the proposed development and the residual impact will be imperceptible. Therefore, no significant adverse direct, indirect, or cumulative effects on the water environment, water quality or WFD objectives will arise as a consequence of the proposed development.

In terms of Impacts on Air Quality, it has been demonstrated that the risk of dust impacts on human health during the construction phase has been identified as ranging from negligible to low and no significant, adverse direct, indirect, or cumulative effects will arise as a consequence of the proposed development. Noting the scale and duration of the construction phase, the predicted traffic movements during the operational phase and the mitigation measures proposed, the effect of the proposed development on national GHG emissions will be insignificant in terms of Ireland's obligations under the Kyoto Protocol. The proposed development promotes active travel through the provision of cycle infrastructure and the creation of pedestrian permeability through the site. In addition, the level of car parking to be provided on site has been reduced overall which promotes a shift away from private vehicle trips. Therefore, the proposed development will have no considerable impact on climate.

**Material Assets, Cultural Heritage, and the Landscape:** Potential directs impacts on Protected Structures, Recorded Monuments and unknown features of archaeology may arise during the construction and operational phase of the proposed development. However, these impacts will be mitigated by archaeological monitoring of groundworks and compliance with the various mitigation measures and conditions detailed below. Therefore, no negative residual impacts in the context of archaeology, cultural heritage and architectural heritage are anticipated. There will be residual significant positive impacts on the site of the Abbey, the Medieval Town Wall and many of the Protected Structures within the project area due to the fact that the heritage assets will form part of a publicly accessible townscape. In the context of landscape, the predicted effects on the receiving environment range from 'Negligible Neutral' to 'Substantial Positive'. The design of the proposed public realm interventions are considered to be sympathetic to the architectural and archaeological assets of the site and wider surrounds and will provide for a significant enhancement of the public realm. The Board completed an environmental impact assessment in relation to the proposed development and concluded that, subject to the implementation of the mitigation measures referred to above, including proposed monitoring as appropriate, and subject to compliance with the conditions set out below, the effects on the environment of the proposed development, by itself and in combination with other development in the vicinity, would be acceptable. In doing so, the Board adopted the report and conclusions set out in the Inspector's report.

## 12.4. Appropriate Assessment: Stage 1

The Board agreed with and adopted the screening assessment and conclusion carried out in the Inspector's report that the River Boyne and River Blackwater SAC (Site Code 002299); Boyne Estuary SPA (Site Code 004080); Boyne Coast and Estuary SAC (Site Code 001957) and River Boyne and River Blackwater SPA (Site Code 004232) are the only European Sites in respect of which the proposed development has the potential to have a significant effect.

## 12.5. Appropriate Assessment: Stage 2

The Board considered the Natura Impact Statement and associated documentation submitted with the application for approval, the mitigation measures contained therein, the additional information submitted to the Board, the submissions and observations on file, and the Inspector's assessment. The Board completed an appropriate assessment of the implications of the proposed development for the affected European Sites, namely the River Boyne and River Blackwater SAC (Site Code 002299); Boyne Estuary SPA (Site Code 004080); Boyne Coast and Estuary SAC (Site Code 001957) and the River Boyne and River Blackwater SPA (Site Code 004232) in view of the sites' conservation objectives. The Board considered that the information before it was adequate to allow the carrying out of an appropriate assessment. In completing the appropriate assessment, the Board considered, in particular, the following:

- i. the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,
- ii. the mitigation measures which are included as part of the current proposal,

and,

iii. the conservation objectives for the European Sites.

In completing the appropriate assessment, the Board accepted and adopted the appropriate assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the integrity of the aforementioned European Sites, having regard to the sites' conservation objectives.

## **13.0 Conditions**

 The development shall be carried out and completed in accordance with the plans and particulars lodged with the application submitted on 20<sup>th</sup> December 2023 except as may otherwise be required in order to comply with the following conditions. Where any conditions of approval require further details to be prepared by or on behalf of the local authority, these details shall be placed on the file and retained as part of the public record.

Reason: In the interest of clarity and the proper planning and sustainable development of the area and to ensure the protection of the environment.

2. The mitigation measures and monitoring commitments identified in the Environmental Impact Assessment Report, and other plans and particulars submitted with the application shall be carried out in full except as may otherwise be required in order to comply with other conditions. Prior to the commencement of development, a schedule of mitigation measures and monitoring commitments identified in the Environmental Impact Assessment Report, and details of a time schedule for implementation of the mitigation measures and associated monitoring, shall be prepared by the local authority and placed on file and retained as part of the public record.

Reason: In the interest of clarity and protection of the environment during the construction and operational phases of the proposed development.

3. The mitigation and monitoring measures identified in the Natura Impact Statement shall be implemented in full except as may otherwise be required in order to comply with other conditions. Prior to the commencement of development, details of a time schedule for implementation of mitigation measures and associated monitoring shall be prepared by the local authority and placed on file and retained as part of the public record.

Reason: In the interest of protecting the environment, the protection of European Sites.

- 4. Prior to the commencement of any works associated with the development hereby permitted, the developer shall prepare a finalised Construction Environmental Management Plan (CEMP) which shall be placed on file and retained as part of the public record. A suitably qualified ecologist shall be retained by the Local Authority to oversee the site set up and construction of the proposed development and the implementation of mitigation measures relating to ecology set out in CEMP, the NIS and the EIAR. 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. The agreed CEMP shall be implemented in full in the carrying out of the development. Reason: In the interest of environmental protection.
- 5. Prior to commencement of development, a detailed Construction Management Plan and Construction Traffic Management Plan shall be prepared and retained as part of the public record. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site. Stockpiles of mud, sand or other fine sediments shall not be stored in any areas of the site that are susceptible to flooding.

Reason: In the interest of sustainable transport and safety and environmental protection.

 The period during which the development hereby permitted may be carried out shall be 10 years from the date of this Order.
Reason: In the interests of proper planning and sustainable development

- 7. Archaeology and Built Heritage
  - i. Prior to the commencement of development, the Local Authority shall engage the services of a suitably qualified archaeologist and Grade 1 Conservation Architect to carry out more detailed archaeological and architectural assessments of the development on all proposed works associated with Recorded Monuments Town defences (LH024-041014) and Old Abbey (LH024-041011).
  - ii. Detailed method statements in relation to all proposed works associated with Recorded Monuments Town defences (LH024-041014) and Old Abbey (LH024-041011) shall be submitted to the Department for comment, with a record of same being placed on the public file.
  - iii. No sub-surface developmental work, including geotechnical test pits, should be undertaken until such further archaeological assessment has been completed and commented on by the Department.
  - iv. As part of the assessment, a programme of test excavation shall be carried out at locations chosen by the archaeologist (licensed under the National Monuments Acts 1930-2004), having consulted the site drawings and the Department.
  - v. Having completed additional assessments works, the archaeologist shall submit a written report stating their recommendations to the Planning Authority and to the Department. Where archaeological material/features are shown to be present, preservation in situ, preservation by record (excavation) or monitoring may be required.
  - vi. All ground works and structural conservation works associated with Town defences (LH024-041014) and Old Abbey (LH024-041011) shall be monitored under Ministerial Consent by a suitably qualified archaeologist and Grade 1 Conservation Architect.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

- 8. Design
  - i. Prior to the commencement of development, detailed design specifications

for the Corten steel canopy proposed for the Old Abbey (LH024-041011) shall be prepared with a record of same being placed on the public file. The finalised design shall ensure that the canopy and its support structures shall in no way impede access to existing properties along Old Abbey Lane.

- ii. A revised Site Layout Plan shall be prepared which omits the proposed street tree which impedes access to the side of Barlow House.
  Reason: In the interest of built heritage and orderly development.
- 9. Prior to the commencement of development on site, a Stage 2 Road Safety Audit (RSA) shall be carried out and all recommendations provided within the Stage 1 RSA shall be implemented in full. A revised Site Layout Plan incorporating the recommendations shall be placed on file and retained as part of the public record.

Reason: In the interest of the proper planning and sustainable development of the area.

10. Prior to the commencement of development, a Noise Management Plan (NMP) shall be prepared by a suitably qualified acoustic consultant. The NMP shall have specific regard to the use of the various cultural spaces within the project area and shall provide a suite of suitable recommendations that should be adhered to and shall guide all future operators to ensure the amenity of the existing residences is preserved. A record of the NMP same shall be placed on the public file.

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

11. Construction operating hours shall be between 0700 hours and 1900 hours, Monday to Friday and between 0800 hours and 1400 hours on Saturdays. No activity shall take place outside these hours or on Sundays or public holidays. In the event that a deviation to the hours of construction is required, a formal record of each deviation shall be placed on the public file in advance, so as to ensure that residents are adequately informed.

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

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.

Enda Duignan Planning Inspector

18<sup>th</sup> December 2024