



An  
Bord  
Pleanála

## Inspector's Report

### ABP-319162-24

Development	Retention and completion of truck wash area, boundary wall and shed and all associated site works.
Location	Granardkill, Granard, Co. Longford, N39 TF60
Planning Authority	Longford County Council
Planning Authority Reg. Ref.	2360128
Applicant(s)	Raymond Farrell
Type of Application	Retention and Permission
Planning Authority Decision	Grant permission
Type of Appeal	Third Party
Appellant(s)	Grandardkill Residents
Observer(s)	None
Date of Site Inspection	25 <sup>th</sup> September 2024
Inspector	Bébhinn O'Shea

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## **1.0 Site Location and Description**

The site is located just west of Granard, on the Longford Road, regional road R194. The site measures 0.82 hectares. It is roughly triangular in form, with wide road frontage, and narrowing to an apex at the rear. There is wall with railings along much of the front of the site, and two access points with large spayed wingwalls. The site is flat, fully surfaced, and devoid of natural vegetation, save at the two lateral boundaries. There are two large adjoining shed type structures on the site which upon inspection appear to be used for storage with a small element of ancillary office use associated with a haulage company. The area towards the front appears to act as an informal area for the parking of vehicles. There is open grassland to the immediate east and west, and a row of 8 No. single dwellings on the opposite side of the road to the south. It is noted that the site is located where a 60km/h speed limit occurs.

## **2.0 Proposed Development**

The proposed development is broken down into 5 No. components

- (a) retention & completion of existing partially constructed truck wash area consisting of concrete surface with silt trap.
- (b) retention & completion of existing shed type structure for the storage of truck wash equipment.
- (c) retention & completion of the existing partially constructed boundary wall along the western boundary of the site.
- (d) retention of existing front boundary block & plastered wall with railings.
- (e) the proposed decommissioning of exiting entrance together with replacement of an existing front boundary hedgerow with a block & plastered wall with railings to match that described in item no. d above

### **3.0 Planning Authority Decision**

#### **3.1. Decision:**

3.1.1. The Planning Authority initially sought Further Information (FI) as follows (summarised):

1. Submission of a Natura Impact Statement
2. Clarification of compliance with conditions of previous permission,
3. Revised drawings with full details of all structures/tanks and relevant planning consents and details of ancillary aspects such as parking, fuel inceptor, surface water attenuation lighting
4. Details of screening of proposed truck wash
5. Drainage details and risk to pollution
6. Details of mitigation put in place during the previous raising of land levels and whether a waste permit was obtained
7. Construction Management Plan
8. Auto tracking
9. Mitigation of impact on residential amenity – noise, hours of operation
10. Revised site layout for front entrance and electrical wires/columns
11. Landscaping plan

3.1.2. The Planning Authority subsequently sought Clarification of Further Information (CFI) in relation to:

1. Landscaping/planning plan and schedule
2. Revised site layout plan showing no parking within 5m buffer along the front roadside edge, parking spaces and safe circulation, entry and egress.
3. Confirmation of operating times.

3.1.3. Following receipt of response to CFI, the Planning Authority granted permission subject to 16 No. conditions, including:

- C2a Construction Management Plan,
- C2b Revised drawings for truck wash screening and boundary treatment plan
- C3 Only development as per notices is authorised.
- C5 Lighting plan to be agreed
- C6 Use of shed for storage only
- C8 Operation hours Monday to Saturday 10-6
- C9 Roads requirements
- C10 Drainage/surface water attenuation
- C11 Landscaping implementation
- C 16 Development contributions

### 3.2. **Planning Authority Reports**

#### 3.2.1. Planning Reports

The First Planning Report considered the development consistent with the zoning of the site. Noted planning and enforcement history and considered that clarification on a number of matters on site was needed to proceed. Considered a Natura Impact Statement was required. Further Information recommended as per 3.1. above.

The Second Planning Report considered:

- the findings of the AA screening report were sufficient, and no NIS was required,
- details of proposed landscaping were required for consideration,
- that an improved roadside boundary landscaping buffer should be required, as per previous permissions,
- there were concerns re. proposed parking and internal layout in terms of traffic movements

- a new Construction Traffic Management Plan would be required
- confirmation of operating times were required.

A request for Clarification of Further Information was recommended as per 3.1.2 above.

The Third Planning Report considered outstanding matters had been addressed and recommended permission be granted subject to 16 No. conditions, as detailed at 3.1.1 above.

### 3.2.2. Other Technical Reports

- MD Engineer

**Report 1 05/10/2023:** Notes the significant history on the site, and that many of the problematic issues from earlier applications have been addressed in this application. Notes that sight distance, sightlines, turning areas proposed are satisfactory. Recommends provision of a heavy duty ACO drain at the entrance.

**Report 2 15/12/2023:** No additional comments.

**Report 3 15/01/2024:** Notes CFI response including proposed planting along road boundary. This should be set back sufficiently to avoid impact on sightlines.

- Environment Section

**Report 1 25/10/2023:** No objection subject to conditions. All wastewater/effluent to discharge to public foul sewer. Notes because of predicted noise impact between 6 and 7 am that hours of operation should be limited to 7.30 to 22.00.

Report 2 19/12/2023: As above

### 3.3. Prescribed Bodies

EPA and HSE. No submissions.

Subsequent referral to Uisce Éireann under S131: No submission

### 3.4. Third Party Observations

7 No. third party observations were received on the application, including those at initial application stage and after receipt of FI. The issues raised relate to

- The planning and enforcement history of the site. The site operates illegally with ongoing expansion. There are unauthorised uses including servicing/mechanical works being carried out on lorries on site; retention permission has not been sought.
- Traffic safety, dangerous turning manoeuvres into and out of the site, stopped incoming traffic waiting for gates to open, road construction and condition not suitable for traffic. No projection of future use and traffic
- Noise survey not accurate, assumes the movement of trucks at low speed. Does not acknowledge servicing and maintenance and noise louder than the base noise of truck movements. Noise from 6 am to 10 pm not acceptable
- Building does not provide the minimum separation distance from the boundary in terms of building regulations.
- Surface water pollution. Water sample taken gives little evidence in relation to likely pollution on site with no data on some locations and testing of the fill under the new building. Upstream and downstream test results would be needed to give a comparison of the effects of the site. Concrete poured along the water course and leeching to the water has not been taken into account.
- Impact on water supply and sufficiency of water infrastructure to serve the site capacity for water supply for site

## 4.0 Planning History

Site:

**98/369:** Retain extension to existing factory.

This is the structure to the south/front on site. Cond 2: Proposed extension shall be used for warehouse or light industrial purposes only

**00/365:** Erection of warehouse and ancillary site works

This structure is shown proposed to be located to the rear of the other structure on site.

**21/44:** Permission for retention and completion of existing partially constructed truck wash area consisting of concrete surface with silt trap, shed type structure for the storage of truck wash equipment together with the retention & completion of the existing partially constructed boundary wall along the western boundary of the site and all ancillary works (Application withdrawn)

**22/158** Same as current application (Application withdrawn)

Adjacent site to west:

**16/300 and ABP 300246-17:** Permission refused and refused on appeal for proposed construction of a garage type structure with attached office area, parking, entrance, boundary fence/wall, proposed connection to the existing mains foul sewer network located in the adjacent road and all ancillary works

**16/55:** Proposed construction of a garage type structure with attached office area, wash bay, parking, entrance, boundary fence/wall and ancillary site work. (Deemed withdrawn)

## **5.0 Policy Context**

### **5.1. Development Plan**

5.1.1. The Longford County Development Plan 2021–2027 (LCDP) is the relevant Development Plan. Granard is identified as a secondary economic growth town.

5.1.2. The site is zoned Industrial/Commercial/Warehousing where it is an objective to Primarily provide for industrial/workshop, warehouse and commercial or business development including compatible uses such as offices and distribution.

The proposed use is not listed in the zoning matrix. The LCDP states



Proposed land-uses which are not listed in the indicative land-use zoning matrix will be considered on their merits having regard to the most appropriate use of a similar nature indicated in the matrix, the proper planning and sustainable development of the area and compliance with the relevant policies and objectives, standards set out in both this Plan and relevant Section 28 Guidelines.

This is addressed in the Assessment at Section 9 of this report, below.

#### 5.1.3. Chapter 5 Transport, Infrastructure, Energy and Communications

**CPO 5.101** Ensure new development is adequately serviced with surface water drainage infrastructure which meets the requirements of the Water Framework Directive, associated River Basin Management Plans and CFRAM Management Plans.

**CPO 5.101** Require surface water storage measures to be provided in new developments where it is considered that the surface water run-off levels exceed permissible discharge rates. Storm water run-off design should be carried out in accordance with Sustainable Urban Drainage Systems (SuDS) standards such as The SuDS Manual (CIRIA, 2015), 'Dublin Corporation Stormwater Management Policy Technical Guidelines' and 'Greater Dublin Regional Code of Practice for Drainage Works' incorporating 'Greater Dublin Strategic Drainage Study, Volume 2, New Developments' or any future updates.

#### 5.1.4. Chapter 8 Economic Development

**CPO 8.12** Support start-up businesses and small-scale industrial enterprises, particularly those that have a creative and innovative dimension.

**CPO 8.17** Sites to be developed for industrial and commercial purposes shall be designed to the highest architectural standards to provide quality environments with adequate provision for landscaping, car and truck parking and circulation, and the disposal of foul and surface water following appropriate treatment

#### 5.1.5. Chapter 16 Development Management Standards

##### **Road safety and access**

**DMS 16.114** requires safe unobstructed sight distances should be provided and maintained thereafter from vehicular entrances onto the road network:

[60kmph – Regional Road – 65m required]

Industrial, Warehousing, Business Parks and Enterprise Hubs

The Council in assessing development proposals will consider the following criteria:

**DMS 16.151** The principle of development proposed, intensity and nature of the proposed use relative to the receiving environment and the likely impact on amenities of the surrounding area.

**DMS 16.152** Achieve an appropriate density and scale of development, including a landscaped buffer zone (minimum 5-10 metres) for industrial / warehousing development where the lands adjoin another zoning, or where it would impact on the amenities of adjoining land uses.

**DMS 16.160** Proposals should incorporate Sustainable Urban Drainage Systems (SuDS) and other measures that address adaptation to climate change including rainwater harvesting, the creation of integrated wetlands, the construction of green/living roofs whereby opportunities for existing solar energy and wind energy are taken.

#### 5.1.6. **Flooding**

**DMS 16.207** Surface Water Drainage and Flooding Sustainable Drainage Systems

The use of Sustainable Drainage Systems (SuDS) shall be encouraged in new developments to minimise the risk of flooding and contamination and to protect environmental and water resources. The Council will seek to ensure applicants incorporate sustainable drainage systems for significant developments in both urban and rural areas and will encourage them for other developments. SuDS is an approach that seeks to manage the water as close as possible to its origin by various engineering solutions that replicate natural drainage processes, before it enters the watercourse. The incorporation of SuDS techniques allows surface water to be either infiltrated or conveyed more slowly to water courses using porous surface treatments, ponds, swales, filter drains or other installations. SuDS should be designed to be cost-effective and require minimum maintenance

## **5.2. Natural Heritage Designations**

- Lough Kinale and Derragh Lough SPA/NHA c. 5.8 km to east.
- Derragh Bog SAC c. 6.5 km to east 6 km to east (no hydrological connection).
- Ardagullion Bog SAC/pNHA c. 5 km to south (no hydrological connection).
- Lough Forbes Complex SAC c. 23km west (distant hydrological connection).
- Lough Gowna pNHA c. 5.3 km to north west

## **6.0 EIA Screening**

- 6.1.1. See Appendix 1. Having regard to the nature, size and location of the proposed development, and to the criteria set out in Schedule 7 of the Regulations, I have concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, therefore, is not required.

## **7.0 The Appeal**

### **7.1. Grounds of Appeal**

The appeal is made up of the original submission on the application along with additional comments on the FI and CFI stages.

- Screening report does not deal with the infill material used below the unauthorised structure along a watercourse which is now sought to be retained.
- Decision is contrary to the policy to ensure developments are adequately serviced with surface water drainage infrastructure, to promote SUDS and to require appropriate surface water drainage measures.
- Site outline of site plan under most recent drawings does not follow site ownership as per folio and accommodates the unauthorised buildings. It does not meet the required separation distance as per the Technical Guidance Document B.
- Operating hours are not suitable for a residential area.
- The truck parking to the front contrary to conditions of planning on 00/365.

## 7.2. Applicant Response

- The proposal is for retention and completion of a number of structures and wash area, and boundary treatments. It does not provide intensification of use.
- The site is zoned for Industrial/Commercial/Warehousing. There are further such lands zoned to west.
- The road is of sufficient quality to cater for the development.
- No subsoils or other materials were brought into the site to raise ground levels; the yard was lowered to create a flow away from the public road. No infill material was brought in and therefore there was no requirement for reference to this in the AA screening report.
- The appeal does not elaborate on why the drainage design is contrary to proper planning and sustainable development. LCC deemed proposals appropriate. All wastewater from the truck wash facility discharges to the public sewer. Roof run off is harvested for use. Unused clean rainwater discharges to watercourse. The network of surface water management measures is functioning.
- There is no hydrological connection to the nearest European sites and the site is 40km from Lough Forbes SAC and Ballykenny Fisherstown SPA, therefore sufficient hydrological separation distance.
- The site boundary runs to the drainage ditch to the north and all the subject development within the red line boundary is owned by the applicant.
- Reference to non-compliance with Part B technical guidance documents is not elaborated upon in the appeal, there is no known non-compliance issue with respect to fire.
- The application of a condition for times of operation of the truck wash is accepted. However restricting truck movements before 7am or after would be detrimental for a haulage company, and is not appropriate having regard to the zoning of the site.
- The proposed landscaping buffer will screen visual impacts including parking between the public road and front of the buildings.

### 7.3. **Planning Authority Response**

None

### 7.4. **Observations**

None

### 7.5. **Further Responses**

None

## 8.0 **Assessment**

8.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of development
- Traffic Safety
- Wastewater disposal
- Visual impact, noise and residential amenity.
- Appropriate Assessment
- Other matters

### 8.2. **Principle of development**

8.2.1. The proposed development is for a truck wash for vehicles associated with Robinstown Haulage, the applicant's company. This company has an office of 68sqm and a warehouse/garage of 260sqm within the site, which the applicant has indicated he owns. There is no further detail in relation to the use of the warehouse/garage building. The applicant's main business is the transport of feed

materials for Kiernan Milling c. 500m west of the site and it is stated only those vehicles will use the truck wash, i.e. it will not be a public truck wash.

8.2.2. I note that the existing uses on site, clarified in response to Further Information, are not the subject of this application. As per history permission 00/365, permission was granted for an additional warehouse on the site where an existing warehouse existed. It is noted that all units bar three are currently indicated to be in use for storage.

8.2.3. The proposed truck wash is *associated* with the applicant's business on site, but there is insufficient information to say that it is *ancillary* to an existing, permitted use. Therefore, it will be assessed as a standalone use.

8.2.4. The zoning objective relating to the site is Industrial / Commercial / Warehousing:

"To primarily provide for industrial/workshop, warehouse and commercial or business development including compatible uses such as offices and distribution."

While a truck wash is not specified in the zoning matrix the following uses are noted:

End of Life Vehicles (ELVs)	-	Permitted in Principle
Fuel Filling Station	-	Open for Consideration
Fuel Depot/Distributor	-	Open for Consideration
Transport Depot	-	Open for Consideration
WorkShop	-	Permitted in Principle

8.2.5. The truck wash is light industrial in nature and has similar planning considerations to the uses outlined above. I consider the truck wash is acceptable in principle, having regard to the zoning objective and above uses which are permissible in principle and open for consideration, and subject to other planning considerations.

### 8.3. **Traffic safety**

8.3.1. The development is located on lands zoned Industrial / Commercial / Warehousing. It is reasonable to expect movements and turning manoeuvres of heavy vehicles in this regard.

8.3.2. The proposal accommodates 18 parking spaces for trucks. The truck wash itself accommodates one vehicle at a time. The limited space for carrying out this process

should govern the number of traffic movements to the site. (E.g. if it takes 30 mins to wash and move a vehicle, only 16 vehicles could be accommodated in an 8 hour period each day). In the context of the zoning of the site, I do not consider this to constitute a trip-intensive development.

- 8.3.3. The site is located on a straight stretch of regional road, where a 60km speed limit applies. The applicant has demonstrated that sight visibility (200m) will be achieved in either direction from the entrance/exit point, well in excess of required standards (90m) of the Design Manual for Roads and Bridges. Autotrack analysis of turning manoeuvres at the junction have also been submitted demonstrating turning manoeuvres within the confines of the traffic lane. I note the previous site entrance is to be closed up and a boundary consistent with the remainder of the site frontage is to be provided. I note that the MD engineer has also confirmed satisfaction with the proposal.
- 8.3.4. Furthermore, I note that these standards exceed those required by DMURS, which are applicable as the site is within the development boundary of Granard and the 60kmph limit. The required visibility splays/Sight Stopping Distance for a 60km/h road under DMURS are 59m at an x-distance of 2.4m.
- 8.3.5. I am satisfied the proposed development meets required road safety standards in terms of sight distance for vehicles leaving the site and stopping site distance for other road uses.
- 8.3.6. I note that a distance of 14.3m exists between the controlled sliding gates and the mid-point of the public road. I note that HGVs indicated on drawings for the purposes of parking layout are 16m long, and that standard measurement of an articulated vehicle according to EU Regulation is 16.5m. This creates potential for obstruction of the road by a waiting vehicle. The report of the PA does not comment upon the setback distance/location of the sliding access gate. While not set out specifically in legislation or development management standards, a set-back accommodating the length of a longer/heavier vehicle is widely accepted as best practice. I consider this should be provided in this instance. This would require some modification to the gate and revised layout of parking to enable safe vehicle manoeuvres within the site. I consider that this could be addressed by condition, in the event of a grant of planning permission.

#### **8.4. Wastewater disposal**

- 8.4.1. Water from the truck wash area is collected in an underground holding tank with silt trap that connects to the public sewer for discharge. The application was not referred to Irish Water for comment (initially it was proposed to discharge the used truck wash water through a petrol/oil interceptor into the surface water drain; this aspect was revised in response to FI). However, the application was circulated to Irish Water under S131 of the Act. No response was received. It is noted that disposal of trade effluent requires a license from UE. This may be addressed by condition.
- 8.4.2. Spray/splash from the truck wash containing detergents/soiled water is to be prevented from leaving the site through the provision of Perspex screen at specified locations around the truck wash area. I consider that the screening area should be extended a further 10 m along the eastern boundary, to protect against spray from the car wash entering the drainage ditch. I recommend the condition of the PA be amended accordingly
- 8.4.3. Roof water is to be harvested for use in the truck wash. There is an overflow pipe that allows this clean rainwater discharge directly to drain if capacity is exceeded. This is acceptable.
- 8.4.4. Surface water from paved areas is collected in gullies and piped to a petrol/oil interceptor near the eastern boundary before discharge into exiting drain. There is a low level (30cm) concrete kerb wall along the eastern site boundary to prevent run off into the adjacent drainage ditch/stream and the site falls away from the road.
- 8.4.5. EN858 2002 is the European Standard for Interceptor Design and Sizing. This document specifies the sizing etc. for the individual type of interceptor, which are designed to deal with a certain throughput, based on expected rainfall and area served. There are 2 types of interceptor; Class 1 and 2. Class 1 is used where the discharge from it is to a surface water and provides a higher standard of treatment.
- 8.4.6. Appendix A submitted with the application sets out manufacturers detail of the interceptor, which are generic. This references EN858 however there is no detail of capacity or calculations of same and the document references both Class 1 and Class 2 Interceptors.



- 8.4.7. The applicant's agent and consulting engineer has confirmed that he supervised the installation of the interceptor, and that there is a service level agreement in place for maintenance, 6 monthly maintenance or when required. Documentation is submitted indicating that it was maintained in November 2023.
- 8.4.8. Although the information in relation to surface water system capacity is not provided, I find the principle acceptable. The provision of a Class 1 Interceptor and compliance with ES858 2002 may be required by condition, in the event of a grant of planning permission.
- 8.4.9. In relation to water quality, any breach of the Water Pollution Acts would be matter for the LA for enforcement, as the competent authority. Any past breaches are not a matter for investigation under this appeal. I note that the Environment Section of the LA are satisfied with proposed wastewater arrangements. Thus, I do not consider there is any basis to conclude that surface water arrangements for the development proposed are unsatisfactory.
- 8.4.10. In terms of SuDS I note that most of the site was surfaced under history application 00/365 which granted permission for the warehousing on site. The truck wash now under consideration, while utilising the larger site area for parking/circulation etc, relates to a smaller portion at the northern part of the site. There is limited area for surface SuDS features, given the use of the development, and the need to collect foul water from the truck wash area separately. It is noted that rainwater harvesting is included, and surface water is discharged to a drainage ditch, not network. In terms of policy DMS 16.207, the development is not a 'significant development' and therefore the policy is that SuDS is to be *encouraged*. Therefore, I do not consider that the absence of additional SUDS features would justify refusal of the proposed development.

## 8.5. **Visual impact:**

- 8.5.1. The development is located on lands zoned for Industrial/Commercial /Warehousing. In visual terms, the structures are typical of the type of structures associated with industry and industrial processes. There are no protected views in the vicinity. I do not consider that the proposed development will detract significantly from the

landscape character of the area which is already characterised by significant industrial buildings to the west along the R194 which dominate the landscape.

- 8.5.2. The site is at the urban edge and there are built boundaries of residential development in close proximity. I consider that the front boundary wall and railing, to be retained and extended at the location of decommissioned entrance, is acceptable given the zoning of the site and use within. I do not consider it will be visually obtrusive given the nature of other built form in the vicinity.
- 8.5.3. The proposed truck wash storage structure is 2.5m to 3m height and proposed to be finished in grey green coloured cladding. The proposed screen adjacent the truck wash area is proposed to be 3.6m high on top of 1m high concrete wall. While this is a considerable height, it is necessary in the interest of spray discharging outside the site. It is recessed on the site and will not be obvious from residential properties opposite.
- 8.5.4. The landscaping plan proposes a new hedgerow at the western boundary and supplementation of retained hedgerow at eastern boundary which will assist in absorbing the structures into the rural landscape, along with proposed planting at the front roadside boundary. A 5 metre buffer is now proposed within the site, to the inside of the front boundary, to restrict parking of trucks so close to the boundary, in the interest of visual amenity. I consider this acceptable. The implementation of same in a time-bound manner may be addressed by condition.
- 8.5.5. I do not consider that the proposed development will unduly detract from the visual amenity of the area.

## 8.6. **Noise:**

- 8.6.1. A noise impact assessment accompanied the application. This identified truck movements as the most significant noise associated with the site. The survey was carried out between 02/08/2023 and 11/08/2023.
- 8.6.2. The survey identified that average background noise ( $L_{A90}$ ) during daytime hours was 40dB. Predicted noise levels ( $L_{Aeq}$ ) during daytime hours exceeded these at noise sensitive locations R1, R2 and R8, (the nearest dwellings) with levels 41dB to 44dB. These are considered to constitute barely perceptible changes as per the IEMA

Guidelines for Noise Impact Assessment. All other locations were below background noise levels.

- 8.6.3. The survey identified that average background noise ( $L_{A90}$ ) during nighttime night time hours was 38dB. Predicted noise levels ( $L_{Aeq}$ ) during nighttime hours exceeded these at noise sensitive locations at all receptors by 3dB to 8dB. Note: The only night-time operation hours proposed for the truckwash are between 6-7am.
- 8.6.4. The assessment concludes that between the hours of 0600-0700 a minor adverse impact is likely at some of the closest Noise Sensitive Locations to the site. Mitigation measures recommended include the selection of quieter vehicles, preventative maintenance of vehicles, signage etc. However, I consider that these measures are unenforceable and that, given proximity to residences, the restriction of truck wash operations during night time hours would be more appropriate.
- 8.6.5. The appeal states that the noise impact assessment is deficient as it assumes the movement of trucks at low speed, and does not acknowledge servicing and maintenance and noise louder than the base noise of truck movements. However, the development proposed is for a truck wash, and not any servicing or maintenance of vehicles, which would be a separate use within the site. This use is not the subject of the application or this appeal. In addition, the movement of trucks would be entering/exiting the site, and within the site between parking area to truck wash, and therefore I consider an assumption of low speed movements is reasonable.
- 8.6.6. I note that the noise survey does not assess the noise generated by the truck washing itself. As there is no mechanical structure proposed on drawings, I assume this is a manual process of power-washing. However, in the absence of further details, as a precaution I consider that the noise should be limited to not exceed 5dB above that of background noise levels. Given the location of the truck wash, to the rear of the site, the distance to existing dwellings, and the noise generated by existing traffic levels, this is considered reasonable and would not prejudice the operation of the development, while safeguarding residential amenity.
- 8.6.7. Therefore, I consider the noise survey and conclusions satisfactory in terms of vehicle movements. Given the proximity to dwellings, I concur with the decision of the PA in relation to operating hours of 10am to 6pm, which strikes a reasonable

balance between the presence of dwellings and the zoning of the site. I note that there was no first party appeal of these operating hours.

## **8.7. Other matters**

- 8.7.1. While the location of lighting is indicated on the revised site layout plan received 13/12/2023, and the planning report states this is acceptable, the nature of lighting, strength etc. is not detailed. This shall be addressed by condition, in the interest of residential amenity and traffic safety.
- 8.7.2. The appeal states that the site boundary has been altered compared to Folio details to ensure separation distance separation distance from the building is achieved as per the Technical Guidance Document B. There is no further detail. Technical Guidance Document B relates to Fire Safety in buildings other than dwellings and is part of the Building Regulations. The issue of compliance with Building Regulations will be evaluated under a separate legal code and thus need not concern the Board for the purposes of this appeal.
- 8.7.3. In so far as a discrepancy in ownership details may have a bearing on the planning application, in terms of the legal interest, I am satisfied that the applicants have provided sufficient evidence of their legal intent to make an application. Any further legal dispute is considered a Civil matter and are outside the scope of the planning appeal. The provisions of S34(13) of the 2000 Planning and Development Act, as amended, are also noted.

## **9.0 Appropriate Assessment**

- 9.1. I have considered the truck wash development in light of the requirements of S177U of the Planning and Development Act 2000 as amended.
- 9.2. The subject site is located near Granard Co. Longford, c. 5.8km west of Lough Kinale and Derragh Lough SPA, 6.5km west of Derragh Bog SAC and c. 5km north of Ardagullion Bod SAC. The site is c. 23km east of Lough Forbes Complex SAC, to which the nearest watercourse ultimately discharges (direct measurement).

- 9.3. The development consists of the retention & completion of existing partially constructed truck wash area consisting of concrete surface with silt trap, shed, boundaries and entrance.
- 9.4. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site. The reason for this conclusion is as follows:
- The nature of the works and the development
  - The distance from the relevant European sites
  - Taking into account screening reports by Longford County Council
- 9.5. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

## 10.0 WFD Screening

- 10.1. See Appendix 2. I have assessed the truck wash development have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no likely risk to any surface and/or groundwater water bodies either qualitatively or quantitatively. The reason for this conclusion is as follows:
- The disposal of water from the truck wash area to the foul network.
  - The disposal of clean stormwater rainfall through the interceptor into the surface water drainage system
  - Construction best practice and associated maintenance regime.
- 10.2. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes,

groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

## **11.0 Recommendation**

11.1. I recommend that permission be granted.

11.2. I note that there is a history of incomplete applications associated with this development and an enforcement history is also indicated. Therefore, timebound conditions are recommended in relation to boundary treatments, access point, truck wash screen, lighting, wastewater arrangements and landscaping.

11.3. I note that conditions 7, 9, 12, 13, 14 and 15 of the decision of the Planning Authority either relate to other codes, are not relevant/necessary for the permission, are enforced under other legislation or provided for in other conditions, and therefore have been omitted or revised accordingly.

## **12.0 Reasons and Considerations**

12.1.1. Having regard to the nature and the scale of the proposed development, and the provisions of Longford County Development Plan 2021–2027, in particular the zoning of the site for Industrial/Commercial/Warehousing, it is considered that, subject to conditions regulating hours of operation, noise emissions and wastewater discharge, the proposed development would accord with the zoning objective for the site, would not detract unduly from the residential amenity or traffic safety or lead to surface water pollution. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

## **13.0 Conditions**

1	The development shall be retained and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 13 <sup>th</sup> day of
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	<p>December 2023 and 15<sup>th</sup> January 2024, except as may otherwise be required in order to comply with the following conditions.</p> <p>Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>(i) This permission authorises the retention and completion of a truck wash area, storage shed, boundary walls and revised entrance, as described in public notices.</p> <p>(ii) No mechanical maintenance or repair of vehicles is hereby permitted.</p> <p>(iii) The truck wash shall not operate as a public facility. The use of the truck wash shall be limited to vehicles associated with authorised development/uses within the site.</p> <p>Reason: In the interest of clarity.</p>
3.	<p>Prior to the commencement of development, the developer shall submit the following for the written agreement of the Planning Authority:</p> <p>(i) Revised site layout plan indicating minimum set back of access gate of 16m from the edge of the public road. Access point and parking area/quantum, circulation routes shall be revised accordingly. The 5m wide landscaped buffer inside the front boundary (as shown in revised drawings received 15<sup>th</sup> January 2024) shall remain.</p> <p>(ii) Revised site layout plan indicating the extension of the proposed Perspex screening for the truck wash a further 10m along the eastern site boundary, i.e. to the location of the outfall to the drainage ditch indicated on the site layout plan. The Perspex shall be clear or light grey in colour, unless otherwise agreed in writing with the Planning Authority.</p>

	<p>(iii) A proposed lighting scheme for the site, designed to light the area of the forecourt and buildings, and to prevent light spill to nearby residences and the public road</p> <p>(iv) A Construction, Environmental and Traffic Management Plan, for the proposed development, including landscaping works.</p> <p>Reason: In the interest of traffic safety, residential amenity and the protection of surface waters in the vicinity.</p>
4	<p>Prior to the commencement of development, the developer shall enter into Connection Agreements with Uisce Éireann (Irish Water) to provide for a service connections to the public water supply and wastewater collection network. A Trade Effluent Discharge Licence shall be obtained.</p> <p>Reason: In the interest of public health and to ensure adequate water/wastewater facilities.</p>
5	<p>The petrol interceptor shall be a <b>Class 1</b> type interceptor in accordance with <i>EN858 2002 European Standard for Interceptor Design and Sizing</i>. Prior to commencement of development the applicant shall submit, for the written agreement of the Planning Authority, written confirmation of installation of same from a Certified Engineer along with details of capacity/sizing, demonstrating adequacy to cater for the proposed development, and a maintenance programme for same.</p> <p>Reason: In the interest of the protection of surface waters.</p>
6	<p>(i) Noise from the truck washing activity shall not exceed more than 5dB above existing background levels (LA90) measured at the nearest Noise Sensitive Location, as identified in the Noise Impact Assessment received by the Planning Authority on 13<sup>th</sup> September 2023.</p>



	<p>(ii) Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of residential amenity.</p>
7	<p>The truck wash hereby permitted shall not commence operation until such time as all boundary treatments, access point, truck wash screen, lighting, noise monitoring and wastewater arrangements are fully agreed and in place, in accordance with conditions above.</p> <p>Reason: In the interest of orderly development</p>
8	<p>The Landscape Plan Drawing LP-001 submitted to the Planning Authority on 15<sup>th</sup> January 2024 shall be implemented within the first planting season following grant of planning permission.</p> <p>Any plants which die, are removed or become seriously damaged or diseased, within a period of 5 years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p>Reason: In the interest of orderly development and residential and visual amenity.</p>
9	<p>The operation hours of the truck wash facility shall be limited to Monday to Saturday between the hours of 10.00 to 18.00.</p> <p>Reason: In the interest of residential amenity.</p>
10	<p>(i) Materials and finishes of boundary walls and shed shall match those of existing such structures.</p> <p>(ii) All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.</p> <p>Reason: In the interest of visual amenity.</p>
11	<p>Drainage and surface water attenuation:</p>

	<p>(i) All wastewater/effluent from the truck wash facility shall discharge to the public foul sewer. No drainage from the truck wash facility shall discharge to adjoining surface watercourses.</p> <p>(ii) All surface water run-off from this development shall be collected and disposed of within the site to specifically designed soakpits/drains or to the adjacent water course via the petrol inceptor.</p> <p>(iii) No surface water run-off shall be allowed to flow onto the public road or adjoining properties. Existing road and land drainage shall not be impaired by the proposed development</p> <p>(iv) The developer shall install and maintain a heavy duty Acco Drain or similar approved across the full entrance opening, connected to the surface water pipe detailed at the entrance.</p> <p>(v) Drainage arrangements shall otherwise comply with the requirements of the relevant Section of the Council for such works and services</p> <p>Reason: In the interest of sustainable drainage, environmental protection and public health.</p>
12	<p>Sightlines shall be provided in accordance with the site layout plan received 13<sup>th</sup> December 2023 and, along with the public road and footpaths outside of the premises, shall remain free and unobstructed at all times.</p> <p>Reason: In the interest of traffic safety.</p>
13	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the</p>

	<p>application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission</p>
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I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

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Bébhinn O'Shea

Senior Planning Inspector

28<sup>th</sup> May 2025

### Form 1 - EIA Pre-Screening

<b>Case Reference</b>	ABP 319162
<b>Proposed Development Summary</b>	Retention and completion of truck wash area, boundary wall and shed and all associated site works
<b>Development Address</b>	Granardkill Co. Longford
	<b>In all cases check box /or leave blank</b>
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>  (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes,  - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b>	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

<p>development under Article 8 of the Roads Regulations, 1994.</p> <p><b>No Screening required.</b></p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p><b>EIA is Mandatory. No Screening Required</b></p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p><b>Preliminary examination required. (Form 2)</b></p> <p><b>OR</b></p> <p><b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b></p>	<p>Site may be considered 'urban' under Class 10 (b) (iv)</p> <p>Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.</p>

## Form 2 - EIA Preliminary Examination

<b>Case Reference</b>	ABP 319162
<b>Proposed Development Summary</b>	Retention and completion of truck wash area, boundary wall and shed and all associated site works
<b>Development Address</b>	Granardkill Co. Longford
<b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b>	
<b>Characteristics of proposed development</b>  (In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	Site of .82 hectares. Use of natural resources and waste production is relatively minor. Foul water from truck wash to foul sewer. Disposal of surface water to drainage ditch. Increased risk of contaminants due to vehicles on site however petrol inceptor and adherence best practice mitigates against risk.
<b>Location of development</b>  (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	Rural, however just outside Granard. 8 no. dwellings and milling facility nearby.  Northern Upland Landscape character where much of the landscape has medium to high sensitivity. Largely flat landscape with nearby milling dominating character of immediate location. No particular landscape sensitivities at this location or protected views.  Ringfort/rath LF010-77 c. 200m west. Ringfort/rath LF010-054001 and LF010-054002 c. 90 m north of site boundary.  No p/NHAs European sites nearby. No built heritage features.

<b>Types and characteristics of potential impacts</b>  (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	The development would not result in the production of any significant waste, emissions or pollutants.
<b>Conclusion</b>	
<b>Likelihood of Significant Effects</b>	<b>Conclusion in respect of EIA</b>
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

## WFD IMPACT ASSESSMENT STAGE 1: SCREENING

### Step 1: Nature of the Project, the Site and Locality

<b>An Bord Pleanála ref. no.</b>	ABP 319162	<b>Townland, address</b>	Granardkill Co. Longford
<b>Description of project</b>	Retention and completion of truck wash area, boundary wall and shed and all associated site works		
<b>Brief site description, relevant to WFD Screening,</b>	The site is located just west of Granard on urban edge. The site measures 0.82 hectares, flat, not within sloping landscape, fully surfaced, and devoid of natural vegetation, save at the two lateral boundaries. There is open grassland to the immediate east and west. There is a drainage ditch along the eastern site boundary.		
<b>Proposed surface water details</b>	Storm water run off via petrol inceptor to discharge to drainage ditch at eastern site boundary. Roofwater will be harvested for use in truck wash. Surplus capacity will discharge to drainage ditch.		
<b>Proposed water supply source &amp; available capacity</b>	Public main and rainwater harvesting. Potential capacity – UE Capacity Register indicates LoS improvement required. Will require UE connection agreement.		
<b>Proposed wastewater treatment system &amp; available capacity, other issues</b>	Foul water and truckwash wastewater to go to foul sewer. Trade effluent Discharge Licence required. Granard WWTP D0187 has available capacity		



Others?			No			
<b>Step 2: Identification of relevant water bodies and Step 3: S-P-R connection</b>						
<b>Identified water body</b>	<b>Distance to (m)</b>	<b>Water body name(s) (code)</b>	<b>WFD Status</b>	<b>Risk of not achieving WFD Objective e.g.at risk, review, not at risk</b>	<b>Identified pressures on that water body</b>	<b>Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)</b>
River	800m	Rhine_010 IE_SH_26R040 700	Poor	At risk	Urban Wastewater, Agriculture	Yes - drainage ditches hydrologically connected to watercourse.
Ground	Underlying	Longford Ballinalee IE_SH_G149	Good	Not At Risk	None	Well drained soil
<b>Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.</b>						
<b>CONSTRUCTION PHASE</b>						

No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Site clearance/ construction	Rhine_010 IE_SH_26R040 700	Existing drainage ditches, watercourse	No risk is expected from development already in-situ (proposed for retention) based on case information and observation.  Siltation, pH (Concrete), hydrocarbon spillages (from proposed element for completion)	Standard construction practice CEMP	No	Screened out.
2.	Site clearance/ construction	Longford Ballinalee IE_SH_G149	No pathway remains as site fully surfaced	Hydrocarbon spillages	Standard construction practice CEMP	No	Screened out
OPERATIONAL PHASE							

3.	Surface run-off	Rhine_010 IE_SH_26R040 700	Existing drainage ditches, watercourse	Hydrocarbon spillage Detergents/wastewater from truck wash	Separation of foul and surface water. Petrol inceptor	No	Screened out
4.	Discharges to Ground	Longford Ballinalee IE_SH_G149	No pathway remains as site fully surfaced	Spillages	Run off which would otherwise infiltrate goes to surface water system.	No	Screened out
<b>DECOMMISSIONING PHASE</b>							
5.	NA	NA	NA	NA	NA	NA	NA