



An
Bord
Pleanála

Inspector's Report

ABP-320192-24

Development	Construction of office and industrial/production spaces with all associated site works.
Location	IDA Drogheda North Business Park, Mell, Drogheda, Co. Louth
Planning Authority	Louth County Council
Planning Authority Reg. Ref.	2360388
Applicant(s)	IDA Ireland
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	Anu Abbi James Carroll
Observer(s)	None
Date of Site Inspection	14 th March 2025
Inspector	Elaine Power

Contents

1.0 Site Location and Description	3
2.0 Proposed Development	3
3.0 Planning Authority Decision	4
3.1. Decision	4
3.2. Planning Authority Reports	4
3.3. Prescribed Bodies	6
3.4. Third Party Observations	6
4.0 Planning History.....	6
5.0 Policy Context.....	7
5.1. Development Plan.....	7
5.2. Natural Heritage Designations	12
5.3. EIA Screening	12
6.0 The Appeal	13
6.1. Grounds of Appeal	13
6.2. Applicant Response	15
6.3. Planning Authority Response	18
6.4. Observations	18
6.5. Further Responses.....	19
7.0 Assessment.....	19
8.0 AA Screening.....	33
9.0 Recommendation.....	34
10.0 Reasons and Considerations	34
11.0 Conditions	35
Appendix 1: Form 1 and Form 2: EIA Screening	
Appendix 2: Water Framework Directive (WFD) Screening	
Appendix 3: Appropriate Assessment Screening (Stage 1) and Appropriate Assessment (Stage 2)	

1.0 Site Location and Description

- 1.1. The appeal site is located in Mell, Co. Louth, c. 3km north-west of Drogheda town centre. The site has a stated area of 2.06 ha and forms part of a larger landholding (c. 15.47ha) within the applicant's (IDA) ownership that is referred to as the IDA Drogheda North Business Park. The overall landholding is predominately a greenfield site. However, it includes roads and services, which were previously approved under Reg. Ref. 07/1435, ABP PL15.228184 and Reg. Ref. 18/822. There is currently no vehicular access to the site, as the private internal access road is block on either side by large boulders.
- 1.2. The appeal site is bound to the north and west by greenfield land within the ownership of the IDA, to the east by a wide grass verge that adjoins the R132 and to the south by a previously completed access road. A wayleave over the existing access road is indicated on the submitted drawings. The site is gently sloping from north to south, with a level difference of c. 7.5m between the northern and southern boundaries of the site.
- 1.3. Planning permission was granted in 2024 on the opposite side of the access road, for the construction of a building to house a hot dip metal galvanising plant. This decision is currently on appeal ABP. 319281-24.

2.0 Proposed Development

- 2.1. The proposed development comprises the construction of a new Advanced Building Solution (ABS) with a gross floor area of 4,701sqm, consisting of light industrial / production spaces (c.3,289sqm) and office use (785sqm). The development includes a new vehicular and pedestrian access from the sites southern boundary, signage, 90 no. car parking, 60 no. cycle parking spaces, landscaping, underground water storage tank, ESB substation and switch room building (36sqm), internal access roads, service yard and all associated site works.

3.0 Planning Authority Decision

3.1. Decision

Permission was granted subject to 16 no. standard conditions. The following conditions are considered relevant:

- Condition 4 required archaeological monitoring.
- Condition 9 required monitoring and recording of construction related noise and dust.
- Condition 10 limited operational noise to Leq (30 mins.) of 55 dB(A) between the hours of 07.00 and 19.00 with on-going noise monitoring.
- Condition 12 limited construction related vibration to a peak particle velocity of 5 millimetres per second in any one of three mutually orthogonal planes.
- Condition 13 limited the operational hours of the facility to between 07.00am to 19.00pm Monday to Friday and 08.00 am to 02.00 pm on Saturdays.

3.2. Planning Authority Reports

3.2.1. *Planning Reports*

The initial planners report dated 20th November 2023 raised some concerns regarding the proposed development and recommended that 6 no. items of further information be submitted. The items of further information are summarised below: -

1. Demonstrate compliance with Policy IU 65 to encourage and support solar energy infrastructure for onsite energy use.
2. Submit a carbon footprint calculation to demonstrate compliance with Policy EE63 and the Climate Action Plan.
3. Submit an archaeological assessment.
4. (a) Submit plans and specifications of a right turning lane off the R132 into the development site and the continuation of the footpath, public lighting, and drainage from the junction to the Rosehall Roundabout.

(b) Submit details of the proposed rates of surface water discharge into the stream.

(c) clarify what is regarded as “Grey” water.

(d) Submit plans for the extension of the existing cycle path.

5. Submit a Confirmation of Feasibility (COF) from Uisce Eireann.

6. If the further information results in a significant alteration to the proposed development, submitted revised newspaper and site notices.

The planners report dated 19th June 2024 considered that all items of further information had been adequately addressed and did not constitute a significant alteration to the proposed development.

3.2.2. *Other Technical Reports*

Place Making and Physical Development Section: The report dated 7th November 2023 recommended that 7 no. items of further information be sought with regard to: -

(1) The provision of a right turn lane facility off the R132 and the continuation of the footpath, public lighting, and drainage from the junction to the Rosehall Roundabout.

(2) Submit drawings showing the extent of surface water discharge into Kennys stream.

(3) Clarify what is regarded as “Grey” water and shall clarify that there is no combined sewer present.

(4) Submit proposals for the discharge of grey water as the discharge into the attenuation tank is not acceptable.

(5) Clarify the greenfield runoff rate.

(6) Submit plans for the development of the existing cycle path.

(7) Submit an estimated traffic generated based on existing similar TRICS and comparison between that report and original application for the site.

The planners report dated 19th June 2024 refers to a Place Making and Physical Development Section Report dated 18th June 2024 stating that there is no objection. However, this report is not on the file.

Environment Section: Report dated 6th November 2023 raised no objection subject to conditions.

3.3. **Prescribed Bodies**

Uisce Eireann: Report dated 10th November 2023 states that in order to assess the feasibility of a connection to public waste / water infrastructure further information is required. The applicant is required submit of a Pre-Connection Enquiry (PCE). The Confirmation of Feasibility (COF) must be submitted to the planning department as the response to this further information request. It is noted that Uisce Eireann does not have wastewater infrastructure within the public road fronting the proposed development. A sewer extension would be required to cater for the proposed development. At this time a sewer extension is not on the current Irish Water Capital Investment plan.

3.4. **Third Party Observations**

3.4.1. Two third party observations were received by the planning authority. The concerns raised in the observations are similar to the concerns raised in the appeals, which are summarised below.

4.0 **Relevant Planning History**

ABP PL15.228184, Reg. Ref. 07/1435: Permission was granted in 2008 for the construction of roads, new access entrances, junction, signage, landscaping a sub-station and all associated works on lands with a total area of 15.47 ha. The appeal site forms part of this overall site.

ABP. PL15.235714, Reg. Ref. 09/425: Permission was granted in 2010 for 13 no. light industrial starter units, with amendments to the previously approved road layout and provision of a pump house and all associated works. The appeal site forms part of this overall site.

Reg. Ref. 18/822: Permission was granted in 2018 for revisions / modifications to existing roads and services infrastructure permitted under ABP PL15.228184, Reg. Ref. 07/1435. The works comprise the completion of the east-west distributor road

linking the L6323 (Chapel Lane) to the R132 and completion of part of the existing north-south private estate road, with a control point with security hut (12sqm) and barrier system. A revised landscape and public lighting strategy, signage, a new foul pumping station with 2 parking spaces. A light industrial / warehouse building (3,390sq.m) with associated access, car parking, service yard, loading dock, signage, lighting and landscaping.

Reg. Ref. 23/60115: Permission was granted in 2024 for the construction of a c. 5,719sqm building to house a hot dip metal galvanising plant and all associated works. This application was accompanied by an EIAR and an NIS and requires an IE Licence from the EPA. It is currently on appeal (ABP 319281-24).

5.0 Policy Context

5.1. Louth County Development Plan 2021 - 2027

The appeal site is located within the urban area of Drogheda on lands zoned “E1 – General Employment”, with the associated land use objective “*To provide for general enterprise and employment generating activities*”.

Drogheda is identified as a Regional Growth Centre in the Settlement Hierarchy. 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 following policies and objectives are considered relevant:

Policy Objective CS 11 Support the Regional Growth Centres of Drogheda and Dundalk as regional economic drivers targeted to grow to city scale with a population of 50,000 by 2031 and capitalise on their strategic location on the Dublin-Belfast Economic Corridor

Policy Objective SS 1 To support the role of Drogheda as a Regional Growth Centre and a driver of growth along the Dublin-Belfast Economic Corridor and to facilitate the continued expansion and growth of the town based on the principles of balanced, sustainable development that enables the creation of employment, supports economic investment, and creates an attractive living and working environment.

Policy Objective EE 1 To maximise the economic potential of Louth by building on its locational advantage along the Dublin-Belfast Economic Corridor and promoting and marketing the Regional Growth Centres of Drogheda and Dundalk for economic investment.

Policy Objective EE 3 To facilitate and support the sustainable growth of the economy in County Louth whilst maintaining and improving environmental quality. This economic development policy shall strive to deliver the following key aims:

- To strengthen existing employment centres supported by enterprise, innovation and skills.
- To strengthen the integration between employment, housing and transportation with a view to promoting compact urban areas and reducing car dependency.
- To promote measures to improve the County's attractiveness as a location for investment and increase entrepreneurial activity.
- To improve the cluster-specific business environment by putting in place a favourable business ecosystem for innovation and entrepreneurship that supports the development of new industrial value chains and emerging industries.
- To facilitate economic growth by consolidating existing industrial and commercial areas and by ensuring that there is an adequate supply of serviced employment lands at suitable locations.
- To promote the regeneration of underutilised industrial and town centre areas in a manner which enhances the local economy and encourages a sequential approach to development and
- To provide for a range of business accommodation types, including units suitable for small business.

Policy Objective EE 4: To work in partnership with national employment agencies including Enterprise Ireland and the IDA, the EMRA, and the Council's Local Enterprise Office in promoting Louth as a location of choice for economic investment and supporting employment generating initiatives and maximising job opportunities within the County

Policy Objective EE 17: To recognise that attractive, healthy, and sustainable communities have a fundamental role in delivering economic success and attracting foreign and domestic investment.

Policy Objective EE 20: To recognise the significant economic and employment benefits of similar enterprises clustering in an area

Policy Objective EE 28: To prioritise economic development in Drogheda and Dundalk taking account of the strategic importance of the settlements along the Dublin-Belfast Economic Corridor and their designation as Regional Growth Centres in the RSES.

Policy Objective EE 33: To promote the Regional Growth Centre of Drogheda as a primary centre for employment in the County that maximises the locational advantage of the town along the Dublin-Belfast Economic Corridor.

Policy EE 37: To support the development of employment lands in the town including:

- i) The lands in the northern part of the town adjacent to the M1 Retail Park
- ii) The lands adjacent to Tom Roes Point The development of these lands shall be for economic investment and employment generating uses.

Development shall only take place in areas where a Masterplan has been agreed in writing with the Planning Authority in accordance with the requirements set out in Section 13.5 'Masterplans' in Chapter 13 - Development Management Guidelines

Policy EE 63: To ensure that all applications for industrial and enterprise development submit a carbon footprint calculation and demonstrates how the new buildings and processes/activities will seek to achieve the targets set out in the Climate Action Plan 2019 or any amendments to targets.

Policy IU 65 To encourage and support the development of solar energy infrastructure for on-site energy use, including solar PV, solar thermal and seasonal storage technologies.

5.2. **Regional Spatial and Economic Strategy for the Eastern and Midland Region**

Drogheda is identified as a Regional Growth Centre within the Core Region of the Eastern and Midland Region and was the fastest growing town in the most recent inter-census period. An element of the growth strategy for the Eastern and Midland Region

is to target growth of the regional growth centres, including Drogheda, as regional drivers and to facilitate the collaboration and growth of the Dublin-Belfast Economic Corridor, which connects the large towns of Drogheda, Dundalk and Newry.

The RSES aims to enable Drogheda to realise its potential to grow to city scale, with a population of 50,000 by 2031 through the regeneration of the town centre, the compact and planned growth of its hinterland and through enhancement of its role as a self-sustaining strategic employment centre on the Dublin-Belfast Economic Corridor. It is anticipated Drogheda will accommodate significant new investment in housing, transport and employment generating activity.

A Joint Urban Area Plan is to be jointly prepared by Louth and Meath County Councils (given the town lies within the functional area of these two local authorities), in collaboration with EMRA, as a priority.

5.3. **National Planning Framework First Revision, April 2025**

The Draft Revised NPF is a long-term, 20-year strategy for strategic planning and sustainable development of our urban and rural areas to 2040, with the core objectives of securing balanced regional development and a sustainable 'compact growth' approach to the form and pattern of future development.

The NPF states that the key driver for the Louth / North- East regional area is the Dublin- Belfast cross border network, focused on Drogheda, Dundalk and Newry. It also states that the Government will continue to capitalise upon and further support and promote the inherent economic potential of the corridor, building upon existing strengths. To do this, there will be a focus on developing the corridor as a distinct spatial area with international visibility by *inter alia* effectively planning and developing large centres of population and employment along the main economic corridor, including in particular Drogheda and Dundalk.

It contains 10 no. National Strategic Outcomes. National Strategic Outcome 6: A Strong Economy supported by Enterprise, Innovation and Skills. The report (page 69) states that a competitive, innovative and resilient regional enterprise base is essential to provide the jobs and employment opportunities to enable people to live and prosper in the regions.

The following National Policy Objectives (NPO) are considered relevant:

NPO 14 Regenerate and rejuvenate cities, towns and villages of all types and scale as environmental assets that can accommodate changing roles and functions, increased residential population and employment activity, enhanced levels of amenity and design and placemaking quality, in order to sustainably influence and support their surrounding area to ensure progress toward national achievement of the UN Sustainable Development Goals.

NPO 15 Apply a tailored approach to urban development, linked to the Rural and Urban Regeneration and Development Funds, with a particular focus on:

- Dublin;
- The four Cities of Cork, Limerick, Galway and Waterford;
- Strengthening Ireland's overall urban structure, particularly in the Northern and Western and Midland Regions, to include the regional centres of Sligo and Letterkenny in the North-West, Athlone in the Midlands and cross-border networks focused on the Letterkenny-Derry North-West City Region and Drogheda-Dundalk-Newry on the Dublin-Belfast corridor;
- Encouraging population growth in strong employment and service centres of all sizes, supported by employment growth;
- Reversing the stagnation or decline of many smaller urban centres, by identifying and establishing new roles and functions and enhancement of local infrastructure and amenities;
- Addressing the legacy of rapid unplanned growth, by facilitating amenities and services catch-up, jobs and/or improved sustainable transport links to the cities, together with a slower rate of population growth in recently expanded commuter settlements of all sizes;
- In more self-contained settlements of all sizes, supporting a continuation of balanced population and employment growth.

5.4. ***Climate Action Plan, 2025***

The Climate Action Plan was published in June 2019 by the Department of Communications, Climate Action and Environment. The Climate Action Plan 2025 (CAP25) is the fourth annual update to Ireland's Climate Action Plan 2019. This plan

is prepared under the Climate Action and Low Carbon Development (Amendment) Act 2021, and following the introduction, in 2022, of economy-wide carbon budgets and sectoral emissions ceilings. Climate Action Plan 2025 builds upon Climate Action Plan 24 (CAP24) by refining and updating the measures and actions required to deliver the carbon budgets and sectoral emissions ceilings and it should be read in conjunction with CAP24.

Section 13 Built Environment notes that the Built Environment sector accounted for 11.1% or 6.76 MtCO₂eq. of Ireland's economy-wide operational GHG emissions in 2023 according to the EPA's July 2024 Provisional GHG Emissions Report. Operational emissions in the sector have decreased by 6.2% or 0.44 Mt of CO₂eq. since 2022 and have decreased by 21% since 2018.

5.5. *Climate Action and Low Carbon Development (Amendment) Act 2021*

This Act amends the Climate Action and Low Carbon Development Act 2015. It sets out the national objective of transitioning to a low carbon, climate resilient and environmentally sustainable economy in the period up to 2050. The Act commits us, in law, to a move to a climate resilient and climate neutral economy by 2050. An Bord Pleanála is a relevant body for the purposes of the Climate Act. As a result, the obligation of the Board is to make all decisions in a manner that is consistent with the Climate Act.

5.6. Natural Heritage Designations

The site is not located within or adjoining a European Site. The following European sites are within the zone of influence of the proposed development.

- River Boyne and River Blackwater SAC (0002299)
- River Boyne and River Blackwater SPA (0004232)
- Boyne Estuary SPA (0004080)
- Boyne Coast and Estuary SAC (0001957)

5.7. EIA Screening

The proposed development has been subject to preliminary examination for environmental impact assessment, please refer to Appendix 1: Form 1 and Form 2 of

this report. Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

6.0 The Appeal

6.1. Grounds of Appeal

Two appeals were received from Anu Abbi and James Carroll. The issues raised in both appeals are similar and are summarised below:

Principle of Development

- The land use zoning objective 'General Employment' allows for a wide range of uses. It is not clear and strategic as required by the National Planning Guidelines.
- The IDA already have a Business Park in Drogheda. There is no tenant for the proposed development. It is purely speculative.
- There is no requirement for this development. It is unsustainable to construct a building that would remain vacant.

Masterplan

- Policy Objective EE37 of the development requires the preparation of a Masterplan.
- The information submitted does not indicate how the proposed development relates to lands in the wider area.
- There is no masterplan for lands at Drogheda North. Therefore, the proposed development is premature.
- The masterplan submitted by the applicant is a concept masterplan only. There is no detail for the proposed uses and infrastructure. Concerns that heavy industry would form part of the future development of the lands.

- Development can only take place where a masterplan is agreed in writing. The masterplan is an indicative sketch of the site. This does not constitute a masterplan.

Local Area Plan

- A Local Area Plan for Drogheda has yet to be prepared. The Board cannot grant permission in the absence of the LAP.

Design Approach

- The 13m high building is 3 times higher than the surrounding single storey dwellings and would be out of character with the area and negatively impact on existing residential amenities.
- The building is out of character with the area and would be visually obtrusive.
- The proposed development would negatively impact on the rural landscape.
- Tree planting should be considered to screen the building.

Environmental Impact and Carbon Footprint

- The buildings design does not take account of sustainability.
- The proposed development is not in accordance with Policy EE 63 as the applicant has not provided any information on the carbon footprint of the processes / activities that will take place in the building. The decision should be refused on this basis.

Traffic and Transport

- The proposed development is premature as traffic reducing and safety measures should be put in place before a grant of permission.
- There is no public transport to the site.
- The applicant has begun works to the existing unfinished roads. It is unclear how these works, which form part of the proposed development, can proceed without planning permission.

Infrastructure

- Proposals for waste and water are unclear.

Other Issues – Enforcement

- Landscaping works have been underway without planning approval.
- The information submitted has no regard to the current application (Reg. Ref. 23/60115) on the opposite site to the proposed development.

6.2. Applicant Response

The applicant's response to the 2 no. appeals is summarised below: -

Principle of Development

- The development is in accordance with the provisions of Policy Objectives EE1, EE28, EE29 and EE37
- Section 12.5 of the development plan notes that the existing industrial parks in the town have limited capacity for expansion and identifies two large parcels of undeveloped land zoned for employment uses to the north of the town.
- IDA Irelands remit includes the provision of employment space for a limited range of end users in line with the Industrial Development Agency Act 1986 and the Industrial Development (Services Industries) Order, 2010.
- Within the current IDA Strategy 'Driving Recovery and Sustainable Growth 2021 – 2024 an opportunity for the construction of a new Advanced Building Solution (ABS) at this location was identified.
- IDA Irelands regional property programme ensures the continued supply of land, buildings and infrastructure to meet the needs of current and prospective clients and to enable and support economic development and job creation.

Land Use Zoning Objective

- The zoning objectives in the development are in accordance with the provisions of the Development Plans Guidelines, 2004. The development plan provides an explanatory section on the zoning objective and provides a list of permissible uses. The proposed office and industrial / production space is wholly in line with the land use zoning identified in the development plan.

- IDA is limited by way of legislation with respect to the nature of the uses it is remitted to support. Any future production activities would be in the nature of light industry.
- The North Drogheda Environs Local Area Plan 2004 indicates that the lands surrounding the site have been zoned for a significant period of time.
- The appeal site forms part of a larger land parcel that was previously granted permission for employment uses.

Masterplan

- A Masterplan was prepared in 2006 for certain lands in the Northern Environs of Drogheda. This masterplan constituted a variation of the North Drogheda Environs LAP, 2004. Table 13.1 of the development plan identifies this area of north Drogheda as requiring a Masterplan. However, this area does not include the appeal site. The extent of the masterplan area lies to the south-east of the appeal site and extends eastward along the north of the town.
- There are no statutory requirements arising from that Masterplan with respect to the proposed development.
- Policy EE37 aims to support the development of employment lands in the town subject to a masterplan being agreed with the planning authority. In accordance with Section 13.5 Masterplans the applicant engaged with Louth County Council who requested that an indicative Masterplan, to demonstrate how the IDA owned lands could be developed, be submitted with the application. The indicative layout was accepted by the planning authority as sufficient.
- The conceptual layout takes account of the sites planning history and infrastructural context. It demonstrates how the site can be integrated into future development and will not obstruct development in the wider area.

Local Area Plan

- The appeal site is zoned, and the development plan takes precedence over any LAP. A Joint Local Area Plan for Drogheda is currently being undertaken by Louth County Council and Meath County Council. The Pre-Draft Issues Paper for the LAP states that *in conjunction with the IDA and EI, both LCC and MCC shall continue to promote support and develop all lands for economic and*

employment related development. The proposed development is not considered premature pending the preparation of this LAP.

Design Approach

- The design layout is in accordance with Section 13.13.1 of the development plan, which requires that business parks and industrial estates shall create functional and attractive workspaces.
- The proposed development will form part of a business park. Its scale, form, materials and height are typical for such developments.
- The 13m height ensures there is a minimum clear internal height of c. 10m, which is a required height for pallet racking.
- The nearest residential dwelling is c. 150m from the proposed building and c. 120m from the appeal site.
- New landscaping is proposed around the building.

Traffic and Transportation

- Access is proposed from the internal access road. Access from the R132 is not proposed.
- The internal road layout is in accordance with DMURS.
- The development would increase traffic volumes by c. 4.7%. This is below the requirement for a Traffic and Transport Assessment to be carried out as per TII Guidelines.
- The upgrade works to the R132 are almost complete at the entrance to the IDA lands. This enhances road capacity and reduces any impact that the proposed development may have on the operation of the road network.
- A dedicated cycle lane and footpath are being provided from the Business Park to the Rosehall Roundabout, c. 700m to the south. This infrastructure will link to existing pedestrian and cyclist facilities. This will have a positive impact on the surrounding environment.
- The upgrade to the entrance was approved under Reg. Ref. 18/822.

Environmental Impact and Carbon Footprint

- A Whole Life Carbon Assessment was submitted by way of further information. The impacts of the processes / activities during the operational phase are assessed and reported in full in the document. The assessment of carbon impact during the operational phase is based on industry norms for energy / water usage for typical production / light industrial operations and is therefore based on reliable inputs.
- The Assessment is compliant with Policy EE 63 of the development plan.
- The response to the further information request confirmed that solar panels would be provided as part of the renewable strategy for the building.

Infrastructure

- It is the intention to connect to the existing public water and wastewater networks.

Other Issues

- The indicative layout for the IDA lands was drawn up prior to the planning application for Hibernia Steel development on adjacent lands. If permission is granted for this development the indicative masterplan can be updated.
- Both the proposed development and the proposed Hibernia Steel development can operate independently of one another and should be assessed on their own merits.

6.3. Planning Authority Response

- 6.3.1. The planning authority's response dated 8th August 2024 notes the third-party submissions and is satisfied that the previous planning reports on file comprehensively address all matters raised and as such, has no further comments to make.

6.4. Observations

None

6.5. Further Responses

None

7.0 Assessment

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

- Policy Context
- Design Approach
- Transportation
- Infrastructure – Waste and Water Services
- Environmental Considerations
- Archaeology
- Other Issues

7.2. Policy Context

Planning Policy

- 7.2.1. The third parties raised concerns that there is no requirement for this development. The applicant notes that IDA Ireland's remit includes the provision of employment space for a limited range of end users in line with the Industrial Development Agency Act 1986 and the Industrial Development (Services Industries) Order, 2010 and that an opportunity for the construction of a new Advanced Building Solution (ABS) at this location was identified within the IDA Strategy 'Driving Recovery and Sustainable Growth 2021 – 2024.
- 7.2.2. Section 5.12.4 of the Development Plan notes that the existing industrial parks in Drogheda are well established, with limited capacity for expansion, and identifies two

large parcels of undeveloped land zoned for employment uses to the north of the town, which includes the appeal site.

- 7.2.3. The Development Plan sets out a number of policy objectives to support economic development, including Policy Objective CS 11, Policy Objective SS 1 and Policy Objective EE 33 to support the Regional Growth Centre of Drogheda, Policy Objective EE1 to support and maximise the economic potential of Louth, Policy Objective EE 3 to facilitate and support the sustainable growth of the economy, Policy Objective EE 28 to prioritise economic development in Drogheda and Policy Objective EE 20 to recognise the significant economic and employment benefits of similar enterprises clustering in an area. It is my opinion that the proposed development is in accordance with Development Plan policy.
- 7.2.4. Both the RSES and the NPF First Revision support and promote the economic potential of Drogheda along the Dublin-Belfast Economic Corridor. The RSES identifies Drogheda as regional economic driver, and states that it is anticipated that Drogheda will accommodate significant new investment in housing, transport and employment generating activity. While National Strategic Outcome 6 of the NPF first revision states that a competitive, innovative and resilient regional enterprise base is essential to provide the jobs and employment opportunities to enable people to live and prosper in the regions.
- 7.2.5. It is my opinion that the proposed development is in accordance with local, regional and national planning policy to support Drogheda as a strategic employment centre along the Dublin- Belfast corridor.

Zoning Objective

- 7.2.6. The third parties raised concerns that the land use zoning objective 'General Employment' allows for a wide range of uses and it is not clear and strategic, as required by the National Planning Guidelines.
- 7.2.7. The appeal site is located within the urban area of Drogheda on lands zoned *E1 – General Employment*, with the associated land use objective "*To provide for general enterprise and employment generating activities*". Section 13.21.17 of the development plan notes that this zoning is the primary location for employment generating activities. It will facilitate the improvement and expansion of existing

employment areas and the investment and development of new employment areas. Section 13.12.17 also lists generally permissible uses. Office and light industrial uses are permissible under this zoning objective. I am satisfied that the proposed use is clear and in accordance with the sites zoning objective.

Proposed Use

- 7.2.8. The third parties raised concerns that heavy industry would form part of the future development of the lands. The proposed development is for light industry / production space. Therefore, any future activities within the appeal site would be in the nature of light industry. In response to the appeal the applicant stated that the IDA is limited by way of legislation with respect to the nature of the uses it is remitted to support.
- 7.2.9. The grant of permission for a heavy industry development on adjacent lands, which is currently on appeal (ABP. 319281-24), and the third party concerns regarding heavy industry are noted. However, development within the IDA lands, outside of the red line boundary of this appeal are subject to separate planning process and do not form part of my assessment of the proposed development.

Masterplan

- 7.2.10. Policy Objective EE37 of the Development Plan aims to support the development of employment lands in the town including inter alia *the lands in the northern part of the town adjacent to the M1 Retail Park for the development of economic investment and employment generating uses. Development shall only take place in areas where a Masterplan has been agreed in writing with the Planning Authority in accordance with the requirements set out in Section 13.5 'Masterplans'*. The third parties consider that the submitted concept masterplan is not in accordance with the provisions of Policy Objective EE37 of the Development Plan as insufficient detail is provided regarding how the IDA lands relate to the wider area and the potential future uses of the buildings.
- 7.2.11. Section 13.5 of the Development Plan states that Masterplans shall be prepared by landowners / developers and agreed with the Planning Authority. Depending on the size of the land parcel, the land use zonings and infrastructural requirements, the level of detail required in a Masterplan will vary. The Development Plan lists information that should be included in the masterplan including size of the masterplan area, a

breakdown of land use zonings, landowners, layout and design, key challenges, building types and design, connectivity and permeability, service arrangements, required infrastructure upgrades, environmental constraints, phasing arrangements for, SuDS details and any other information considered necessary.

7.2.12. An indicative Masterplan layout for the lands within the ownership of the applicant (IDA) was illustrated in Figure 1.9 of the Planning Statement that was submitted with the application. The planning authority were satisfied with the masterplan and considered that it was acceptable and accords with Development Plan policy. While it is acknowledged that the masterplan is not a standalone document and does not include lands outside of the applicant ownership, I am satisfied that the information submitted complies with the criteria set out in Section 13.5 and, therefore, complies with Policy Objective EE37.

7.2.13. The third parties raised concerns that the proposed development is premature as there is no masterplan for lands at Drogheda North. The North Drogheda Environs Masterplan, 2006 is listed on the planning authority website as being a current statutory plan. This masterplan covers an extensive land bank of c. 254 ha. The appeal site not located within the boundary of this masterplan. Therefore, there is no requirement for the development to comply with the provisions of the Northern Environs of Drogheda Masterplan, 2006.

Local Area Plan

7.2.14. The third parties raised concerns that the Board cannot grant permission in the absence of a Local Area Plan for Drogheda In accordance with the requirements of the RSES, Policy Objectives CS 13 of the development prioritises the preparation of a joint Urban Area Plan (UAP) / Local Area Plan (LAP) between Louth County Council and Meath County Council. The plan will provide a co-ordinated planning framework to deliver strategic sites and regeneration areas in Drogheda. The LAP is at the Pre-Draft Issues Paper stage. The timeline for the publication of the plan is not available. While the preparation of the LAP is noted, there is no statutory requirement for a LAP to be provided prior to the granting of permission. I am satisfied that the proposed development is not considered premature pending the preparation of the LAP.

7.3. ***Design Approach***

- 7.3.1. The proposed development comprises a double height light industrial / production space (3,289sqm) and ancillary 2-storey office space (785sqm) with associated plant, staff facilities and circulation areas with a total floor area of 4,650sqm. The building has a contemporary design approach. It is generally square in shape with a recessed entrance and a flat roof, with a maximum height of 13.6m. The external finishes include aluminium cladding panels and a curtain wall incorporating double glazing. The predominate colour of the cladding is grey with elements of white. A booklet of photomontages containing 6 no. visualisations of the proposed development were submitted with the application. I am satisfied that they provide a reasonable representation of how the proposed development would appear to allow for a full assessment of the potential impact.
- 7.3.2. Concerns are raised by the third parties that the height of the building would be out of character with the area and would be visually obtrusive. It is acknowledged that the proposed height (13.6m) is taller than the surrounding single and 2-storey residential dwellings and would introduce a new building type in the area. It is also noted that the finished floor level of the building is c. 3m higher than the public road and would, therefore, be highly visible from the public road, R132. However, in my opinion the bulk and mass of the building are broken down by the use of vertical and horizontal cladding, the variety and colour of materials and the recessed entrance. Given the planning history of the overall landholding, the high-quality contemporary design, layout and finishes of the building and the c. 20m set back from the public road I am satisfied that the proposed development it would not detract from the visual amenities of the area and that the building would form an appropriate urban edge at sites eastern boundary with the R139 and the sites southern boundary with the internal access road. Therefore, I do not agree with the third parties that the proposed development would be visually obtrusive at this location.
- 7.3.3. Concerns are also raised by the third parties that the proposed development would negatively impact on the rural landscape. The site is currently a greenfield site and forms part of IDA lands which are zoned for General Employment. In accordance with previous grants of planning permission roads, lighting and underground services have been constructed within the overall IDA lands. Permission was also granted in 2018

for a 2-storey (12.3m) light industrial / warehouse building with a gross floor area of c. 3,390sqm, located c. 70m west of the appeal site on the opposite side of the internal access road. This building has not been constructed. It is acknowledged that the proposed development would alter the landscape and would be visible from the surrounding public roads.

- 7.3.4. Section 8.10.1 of the Development Plan sets out the Landscape Character Assessment for the County. The appeal site is located in the Boyne and Mattock Valley Landscape Character Area, which has a National Importance. The Development Plan references the Louth Landscape Character Assessment, 2002. This document notes that it is not proposed that any landscape policy should apply to existing towns, villages and designated Development Centres but may impact on the edges of those urban / village areas. It is my opinion that the proposed development is located on the edge of the urban area.
- 7.3.5. The concerns of the third parties regarding the potential impact of the development on the rural landscape are acknowledged. However, given the planning history of the site, the sites proximity to Drogheda town centre (c. 3km) and the M1 Retail Park (c. 900m) and the surrounding road network, which includes the R132 immediately east of the site, the N52 c. 700m south of the appeal site and the M1 c. 1km (as the crow flies) it is my opinion that this area is an area in transition, away from its traditional rural character towards a more urban area and that the proposed development is consistent with the existing characteristics of the surrounding area and would not have a significant negative impact on the landscape character.
- 7.3.6. The third parties also raised concerns that the height of the proposed development would negatively impact on existing residential amenities. There are 2 no. dwellings located to the south of the site. The proposed building is located c. 128m from the side elevation of the nearest dwelling. There are 3 no. houses to the east of the appeal site on the opposite side of the R132. The proposed building is located a minimum of c. 150m from the rear elevation of these dwellings. Having regard to the sites locally elevated position and the c. 13.6m height of the proposed building, it is acknowledged that it would be visible from the surrounding residential properties. However, given the significant separation distances, the relatively limited height of the proposed development and the proposed screening at the sites boundaries I am satisfied that it

would not negatively impact on existing residential amenities in terms of overlooking, overshadowing or overbearing impact.

- 7.3.7. The end user of the facility is currently unknown. The planning authority attached a condition limiting the hours of operating of the facility to between 07.00am and 19.00pm Monday to Friday and between 08.00 am and 02.00 pm on Saturdays, unless otherwise agreed in writing with the Planning Authority. It is noted that the applicants Traffic Engineering Report states that the facility could operate in two shifts / 24 hours per day. In the interest of clarity and residential amenity, it is recommended that a similar condition be attached to restrict the hours of operation, until such a time as the end user of the facility is known and its impact on residential amenity could be assessed.

7.4. *Transportation*

- 7.4.1. Item 4 of the planning authority's request for further information related to the provision of a right turn land to the IDA lands from the R132 and the provision of a dedicated cycle lane along the R132 between the appeal site and the Rosehall Roundabout. In response to the request for further information the applicant states that the works requested have commenced and are expected to be completed by Q3 2024. Construction drawings indicating the extent of these works are attached as Appendix E of the response to further information request. During my site visit on the 14th March 2025 these works did not appear to be under construction.
- 7.4.2. The information submitted in response to the request for further information is noted and I have no objection in principle to the upgrade works to the public road. However, no letter of consent to these works is provided by the local authority or any third party. There is no record of these works having the benefit of planning permission or approval under Part 8. It is also unclear if these works are being carried out under the Roads Act on behalf of the planning authority. As these works are not completed to date, do not form part of the development site and as letter of consent to the works has not been provided in the submitted documentation it is my opinion that they do not form part of the surrounding road network or the proposed development.
- 7.4.3. It is also noted that the applicants Traffic Engineering Report submitted with the application does not provide any information regarding upgrade works to the

surrounding road network. Therefore, my assessment of the impact of the proposed development on the capacity of the surrounding road network does not include the proposed works submitted by way of further information.

- 7.4.4. The R132 provides connectivity to Drogheda town centre, c. 3km southeast of the appeal site. There are no footpaths or cycle routes along the R132. The third parties raised concerns regarding the lack of connectivity to the site by public transport. The nearest bus stop is located c. 2km south of the appeal site on North Road. The NTA have proposals to improve public transport connectivity within Drogheda, however, it is acknowledged that given the lack of accessibility to the site, it is likely that employees would access the site by private car.
- 7.4.5. Vehicular, pedestrian and cycle access to the proposed development is from the existing access road to the south. It is not proposed to provide direct access from the R132 to the east of the appeal site. It is proposed to provide 2 no. accesses to the appeal site from the existing road to the south. The main vehicular access to the site is located in the central position, to the front (south) of the proposed building. This entrance provides access to 90no. space car parking spaces to the side (east) of the building. It is proposed to provide a separate service / HGV access at the site western boundary. This service road provides access to a dedicated service area to the rear (north) of the proposed building. The layout also provides for separate cycle and pedestrian access links through the site. It is proposed that all traffic would enter the site via the R132 and will not use the L6323 (Chapel Lane) to the west of the IDA landholding. I have no objection to the proposed access / egress arrangements and consider them appropriate having regard to the nature of the proposed development.
- 7.4.6. The third parties consider that the proposed development is premature as traffic reducing and safety measures should be put in place before a grant of permission. Having regard to the nature and scale of the proposed development, the characteristics of the surrounding environment and the information submitted in the applicants Traffic Engineering Report I am satisfied that there is capacity on the surrounding road network to accommodate the proposed development. Therefore, I do not agree with the third parties that the proposed development is premature pending traffic calming or safety measures on the wider road network.

- 7.4.7. Table 13.16.12 of the Development Plan sets out car parking standards for a variety of uses. The number of car parking spaces is determined by the area in which a site is located. In my opinion the appeal site is located in a peripheral location. Therefore, there is a requirement of 1 car parking space per 50sqm of light industrial use and 1 space per 20sqm of office space. This generates a requirement of 66 no. spaces to serve the light industrial use (c. 3289 sqm) and 40 spaces to serve the office use (c. 785sqm). Therefore, the total car parking space required in accordance with Table 13.16.12 is 106 no. spaces.
- 7.4.8. It is proposed to provide 90no. spaces, which in my view is not a significant reduction (16 no.) below the Development Plan requirement. The Development Plan notes that a reduction in car parking requirements may be acceptable subject to a number of criteria including availability of car parking, nature of the development, supporting documentation, public transport, location and existing uses. The applicant notes that once an end user for the proposed development is identified that a Mobility Management Plan (MMP) would be submitted to the Planning Authority. In my opinion this could be agreed by way of condition. Having regard to the nature of the development and the proposal to submit a detailed MMP once an end user has been identified I am satisfied that the reduction in car parking is in accordance with the provisions of the development plan.
- 7.4.9. The quantum of car parking includes 5 no. accessible spaces, which is in accordance with Section 13.16.7 of the Development Plan which requires that 5% of car parking spaces be accessible.
- 7.4.10. Section 13.16.19 states that an assessment should be made on a case-by-case basis for the provision of charging points for electric vehicles. However, applicants shall strive to provide these charging points in a minimum of 20% of the total spaces. It is proposed to provide 7 no. EV charging spaces, which equates to c. 8% of the car parking spaces. If permission is being contemplated it is recommended that a condition be attached that requires 20% of the car parking spaces to be EV spaces and that the necessary wiring and ducting be provided for future proofing the remaining spaces.
- 7.4.11. Table 13.12 of the Development Plan sets out cycle parking standards for a variety of uses. There is a requirement for 1 no. long term space and 1 no. visitor / short stay

space per 200sqm GFA of office space and 1 no long-term space per 5 staff for Industry / Warehousing. Table 13.12 states that short term / visitor spaces for Industry / Warehousing is to be determined by the planning authority. The office use generates a requirement for 8 no. cycle parking spaces, 4 no. long term and 4 no. short stay / visitor spaces. As the approximate number of staff is unknown the level of cycle parking spaces is unknown. It is proposed to provide 60 no. cycle parking spaces, 40 no. long term spaces located at the eastern boundary of the car parking area, and 20 no. short term spaces located southern portion of the car parking area. I have no objection to the quantum of cycle parking, and it is noted that there is sufficient space within the site to accommodate additional cycle parking, should the future need arise.

- 7.4.12. I have no objection to the quantum of cycle parking. However, it is my opinion that the spaces should be secure and conveniently located. As the car park is laid out with a one-way system, access the long-term cycle spaces, is via a circuitous route around the car park. In my opinion that both short and long term cycle parking spaces would be more appropriately located to the front (south) of the building, adjacent to the dedicated cycle lane. It is also my recommended that any bicycle parking provided should be secured and sheltered. I am satisfied that this concern could be addressed by way of condition.

7.5. *Infrastructure – Waste and Water Services*

- 7.5.1. Water and Wastewater: The third parties raised concerns that the proposals for waste and water are unclear. It is proposed that the development would connect to the public water supply and foul network. The submission from Uisce Éireann dated 10th November 2023 states the applicant is required to engage with Uisce Eireann through the submission of a Pre-Connection Enquiry (PCE) in order to determine the feasibility of connection to the public infrastructure. A copy of correspondence with Uisce Éireann regarding the applicant's pre-connection enquiry is attached as Appendix D of the response to further information request. This correspondence states that a connection to both the water and wastewater network are feasible subject to upgrade works.
- 7.5.2. In order to accommodate a connection to the water network upgrade works to increase the capacity of the Uisce Éireann network are required. These works are on listed on

the current investment plan and were expected to be completed by Q4 in 2023. In order to accommodate a connection to the wastewater network upgrade works a 1.72km network extension is required on the R132 from the IDA development lands to the intersection with Cross Lane. These works are to be carried out at the applicant's expense.

7.5.3. While the concerns of the third parties are noted I am satisfied that sufficient information has been provided by the applicant and that, subject to upgrade works outlined by Uisce Eireann, there is capacity within the public network to accommodate the proposed development.

7.5.4. Surface Water: Surface water run off would be directed to an attenuation tank located in the south-western corner of the site. When the tank is full the attenuated water would discharge to a proposed attenuation pond located to the west of the appeal site. The information submitted indicates that this off-site attenuation pond would manage surface water for the business park roads and other future developments within the business park. Water from this attenuation pond will be released to the nearby watercourse (Tullyeskar_010) at controlled greenfield rates. Having regard to the information submitted I have no objection to the proposed surface water arrangements. It is noted that the planning authority raised no concerns in this regard.

7.6. *Environmental Considerations*

7.6.1. Policy Objective EE63 of the Development Plan requires that all applications for industrial and enterprise development submit a carbon footprint calculation and demonstrates how the new buildings and processes/activities will seek to achieve the targets set out in the Climate Action Plan 2019 or any amendments to targets.

7.6.2. The third parties raised concerns that the proposed building design does not take account of sustainability and that the proposed development is not in accordance with Policy EE 63 of the Development Plan, as the applicant has not provided any information on the carbon footprint of the processes / activities that will take place in the building.

7.6.3. A Whole Life Carbon Assessment was submitted as Appendix B of the response to further information. It states that the quantity of all carbon emissions expected to be

emitted over the entire life cycle of the proposed development is an estimate. Having regard to the nature of the development and the available information, this is considered a reasonable approach, and I am satisfied that the information used is acceptable to provide a baseline for assessing the impact of the proposed development on the climate.

- 7.6.4. The assessment indicates that the proposed development would emit 3,285 tCO₂e. Table 3-1 of the assessment provides a breakdown of the project phases, which indicates that the production of construction materials has the highest emission, accounting for 81% of the emissions (2,751.5 tCO₂e). Section 3.4 of the assessment outlines how carbon was saved by using alternative building materials, Ready Mix Concrete, Steel and Asphalt. The assessment states that these materials were targeted as they are high contributing materials and represented an opportunity for reduction through known alternatives in this regard Ready-Mix Concrete c30/37 with Ready-Mix Concrete c30/37 which results in a 77 tCO₂e saving (45%), the replacement of virgin steel with recycled steel with mixture of 60% and 90% which results in a 1,799 tCO₂e saving (35%) and replacement of stone mastic asphalt with warm-mix asphalt, which results in a 60 tCO₂e saving (34%). The total carbon saved from the baseline using standard building materials was 1,936 tCO₂e. This equates to 37% saving, which is in excess of the 30% target set out in the Climate Action Plan for construction materials produced and used in Ireland.
- 7.6.5. The operational phase of the development would account for 19% of emissions. The proposed building also incorporates solar panels as part of the renewable strategy for the building and EV charging points and cycle parking to promote sustainable travel. I am satisfied that the applicant has adequately considered emissions during the operational phase of the development.
- 7.6.6. The information submitted outlines how the carbon footprint calculation for the building was estimated demonstrates how the development seeks to achieve the targets set out in the Climate Action Plan. Therefore, I am satisfied that the proposed development is in accordance with the provisions of Policy Objective EE63.

7.7. Archaeology

- 7.7.1. An Archaeology and Cultural Assessment was submitted with the application, which notes that a desktop study and a site survey were carried out. There are no known archaeological features within the development site. Section 3.3.1 of the report lists 4 no. known archaeological sites within a 1km radius of the appeal site. These include a probable church site, recorded as ruinous in 1622 (LH 024-004001-), a graveyard (LH 024-004002-) and font or stoup thought to have come from the graveyard (LH 024-004003) all located c. 700m north of the appeal site. A Rath (LH024-089---) is recorded c. 1km southwest of the appeal site. Section 3.3.3 of the report lists 12 no. previous archaeological investigations carried out in the townland of Mell, during these excavations a series of archaeological features were discovered. The applicants report recommends that archaeological monitoring be carried out prior to commencement of development. In response to the request for further information the applicant also noted that on site test trenching with supervision from the employed archaeologist would take place on site and a detailed report would be submitted to the planning authority.
- 7.7.2. Given the proximity of the proposed development to recorded archaeological sites and finds, I agree with the applicant's assessment that the appeal site is located within an area of archaeological significance and that there is the potential for previously unknown archaeological remains to exist within the site. Therefore, it is recommended that a condition be attached to any grant of permission that archaeological monitoring of the groundworks associated with the development be carried out.

7.8. Other Issues

Unauthorised Development

- 7.8.1. The third parties raised concerns that the applicant begun works to the existing unfinished roads without planning permission. As noted above in Section 4 Planning History, permission was granted in 2008 (ABP PL15.228184, Reg. Ref. 07/1435) for the construction of roads, new access entrances, junction, signage, landscaping a sub-station and all associated works on lands with a total area of 15.47 ha. Permission was also granted (ABP. PL15.235714, Reg. Ref. 09/425) in 2010 for 13 no. light industrial starter units, with amendments to the previously approved road layout and

provision of a pump house and all associated works. The appeal site forms part of this overall site. Due to the economic downturn, these developments were not completed. Permission was granted (Reg. Ref. 18/822) in 2018 for revisions / modifications to existing roads and services infrastructure permitted under ABP PL15.228184, Reg. Ref. 07/1435. The east-west distributor road linking the L6323 (Chapel Lane) to the R132 and part of the existing north-south private estate road have been completed under this permission. I am satisfied that the road that provides access to the proposed development has the benefit of planning permission. Notwithstanding this, enforcement falls under the jurisdiction of the planning authority and, therefore, is outside of the remit of this appeal. Any concerns regarding an unauthorised use within the site should be referred to Louth County Council.

8.0 Water Framework Directive (WFD) Screening.

- 8.1. Please refer to Appendix 2 of this report. The river body Tullyeskar_010 (IE_EA_07T270880) is located c. 400m north and c. 450m west and northwest of the subject site. This waterbody had a moderate water body status and is categorised as not being at risk (2016-2021). The groundwater body is Wilkinstown groundwater body (IE_EA_G_010) underlays the site. This water body is categorised as being at risk with significant pressure from agriculture.
- 8.2. No water deterioration concerns were raised in the planning appeal.
- 8.3. I have assessed the proposed development and 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 conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.
 - The reason for this conclusion is as follows:
 - The relatively small scale and nature of the development

- Location-distance from nearest water bodies
- Lack of hydrological connections

8.4. 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.

9.0 **AA Screening**

9.1. Please refer to Appendix 3: Appropriate Assessment Screening (stage1) and Appropriate Assessment (Stage 2) of this report.

9.2. ***Stage 1 Screening Determination***

9.2.1. Finding of likely significant effects In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of objective information provided by the applicant, I conclude that the proposed development could result in significant effects on the River Boyne and River Blackwater SAC, the River Boyne and River Blackwater SPA, the Boyne Estuary SPA and the Boyne Coast and Estuary SAC in view of the conservation objectives of a number of qualifying interest features of those sites. It is therefore determined that Appropriate

9.2.2. Assessment (stage 2) under Section 177V of the Planning and Development Act 2000 of the proposed development is required.

9.3. ***Stage 2 Screening Determination***

9.3.1. In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on the River Boyne and River Blackwater SAC, the River Boyne and River Blackwater SPA, the Boyne Estuary SPA and the Boyne Coast and Estuary SAC in view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of S177U/ 177AE was required. Following an examination, analysis and evaluation of the NIS, all associated material submitted, I consider that adverse effects on site integrity of the River Boyne

and River Blackwater SAC, the River Boyne and River Blackwater SPA the Boyne Estuary SPA and the Boyne Coast and Estuary SAC can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects.

9.3.2. My conclusion is based on the following:

- Detailed assessment of construction and operational impacts
- An assessment of in-combination effects
- The proposed development will not affect the attainment of conservation objectives for the River Boyne and River Blackwater SAC, the River Boyne and River Blackwater SPA, the Boyne Estuary SPA and the Boyne Coast and Estuary SAC or prevent or delay the restoration of favourable conservation condition
- Effectiveness of mitigation measures proposed

9.3.3. It is also noted that the planning authority concluded that the proposed development, subject to mitigation measures outlined in the NIS, would not adversely affect, either directly or indirectly, the integrity of any European Site, either alone or in combination with other plans or projects

10.0 Recommendation

It is recommended that permission be granted subject to conditions.

11.0 Reasons and Considerations

Having regard to the sites General Employment zoning objective, to the planning history of the site and to the nature and scale of the proposed development, it is considered that subject to compliance with the conditions set out below, the proposed development would be acceptable and would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area

12.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 4th day of June 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The mitigation measures contained in the submitted Natura Impact Assessment (NIS) shall be fully implemented.

Reason: To protect the environment.

3. The operating hours of the facility shall be 07.00am to 19.00pm Monday to Friday and 08.00 am to 02.00 pm on Saturdays only, unless otherwise agreed in writing with the Planning Authority.

Reason: In the interest of clarity and residential amenity.

4. Prior to commencement of development the applicant shall submit for the written agreement of the planning authority final details of the location and types of bicycle parking stands. Provision should be made for a mix of bicycle types including cargo bicycles. Electric charging points shall be provided at an accessible location for bicycle. All cycle parking shall be conveniently located and well lit.

Reason: In the interest of encouraging the use of sustainable modes of transport.

5. Prior to the occupation of the proposed development, a Mobility Management Plan (MMP) shall be submitted to and agreed in writing with the planning authority. This shall provide for incentives to encourage the use of cycling and walking by staff employed in the development.

Reason: In the interest of encouraging the use of sustainable modes of transport.

6. The landscaping scheme shall be carried out within the first planting season following substantial completion of external construction works.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development or until the development is taken in charge by the local authority, whichever is the sooner, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of visual amenity.

7. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall -
 - a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
 - b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and
 - c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.
 - d) In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

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. External lighting shall be provided in accordance with a scheme which shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The scheme shall include lighting along pedestrian routes through open spaces. Such lighting shall be provided prior to the operation of the proposed development.

Reason: In the interest of amenity and public safety.

9. All service cables associated with the proposed development, such as electrical, telecommunications and communal television, shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. Details of the ducting shall be submitted to and agreed in writing by the planning authority prior to the commencement of development.

Reason: In the interests of visual amenity

10. Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the relevant Section of the Council for such works and services. Prior to the commencement of development, the developer shall submit to the Planning Authority for written agreement a Stage 2 - Detailed Design Stage Storm Water Audit. Upon completion of the development a Stage 3 Completion Stormwater Audit to demonstrate Sustainable Urban Drainage System measures have been installed, and are working as designed and that there has been no misconnections or damage to storm water drainage infrastructure during construction, shall be submitted to the planning authority for written agreement.

Reason: In the interest of public health and surface water management.

11. Prior to the commencement of development, the developer shall enter into a Connection Agreements with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network.

Reason: In the interest of public health and to ensure adequate water / wastewater facilities.

12. The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths and kerbs shall comply with the detailed construction standards of the planning authority for such works and design standards outlined in Design Manual for Urban Roads and Streets (DMURS).

Reason: In the interest of amenity and of traffic and pedestrian safety

13. A minimum of 20% of the car parking spaces shall be provided with functional electric vehicle charging points. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of sustainable transportation.

14. Site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

15. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of proper planning and sustainable development

16. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority 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.

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.

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.

Elaine Power

Senior Planning Inspector

2nd October 2025

Appendix 1

Form 1: EIA Pre-Screening

Case Reference	320192-24
Proposed Development Summary	Construction of a light industrial / production space with associated office use.
Development Address	IDA Drogheda North Business Park, Mell, Drogheda, Co. Louth.
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (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)	☒ Yes, it is a 'Project'. Proceed to Q2. ☐ No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
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?	
☐ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed	

type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
☒ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	10 (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. 15: Any project listed in this Part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development, but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____

Form 2: EIA Preliminary Examination

Case Reference	320192-24
Proposed Development Summary	Construction of a light industrial / production space with associated office use.
Development Address	IDA Drogheda North Business Park, Mell, Drogheda, Co. Louth.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (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).	The proposed development comprises the construction of a light industrial / production space with associated office use on a 2.06 ha greenfield site that forms part of a larger landholding (c. 15.47ha) within the applicant's (IDA) ownership, that is referred to as the IDA Drogheda North Business Park. The site and the larger landholding are zoned 'General Employment'. Permission was previously granted on the overall landholding for 13 no. light industrial starter units. The IDA lands are located at the edge of the urban area of Drogheda and are located in an area which is undergoing a transition in character from rural to urban. The proposed development would connect to the public water and drainage services of Uisce Eireann and Louth County Council. Subject to upgrade works outlined by Uisce Eireann, there is capacity within the public network to accommodate the proposed development. The change to the landscape is consistent with the existing characteristics of the surrounding area and the nature and scale of the proposed development is not regarded as being significantly at odds with the surrounding pattern of development. There is a concurrent appeal (ABP-319281-24) on an adjacent site for a heavy industry development comprising a building to house a hot dip metal galvanising plant. Given the nature and scale of the proposed development I am satisfied that it would not give rise to significant use of natural resources, production of waste, pollution, nuisance, or a risk of accidents. The site is not at risk of flooding.

	There are no Seveso / COMAH sites in the vicinity of this location.
Location of development (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).	The appeal site is located on a greenfield site within the urban area of Drogheda. It does not host any species of conservation interest. This site is not located on, in or adjacent to any ecologically sensitive site. There are no surface water features located within the appeal site. However, there are drainage ditches located to the south and southwest of the appeal site which could potentially provide an indirect hydrological link from the subject site to the designated sites within the River Boyne. Subject to the implementation of mitigation measures outlined in the applicants Appropriate Assessment Screening report the proposed development does not have the potential to impact any such sites. There are no known archaeological features within the development site. However, the site is located within an area of archaeological significance and that there is the potential for previously unknown archaeological remains to exist within the site. There are no protected landscapes within or immediately adjacent to the site. Having regard to the location of the site and the nature and scale of the development there is no potential to significantly affect environmental sensitives in the area, including protected structures.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment.

Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	
There is a real likelihood of significant effects on the environment.	

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)

Appendix 2: WFD IMPACT ASSESSMENT STAGE 1: SCREENING

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

An Bord Pleanála ref. no.	320192-24	Townland, address	IDA Drogheda North Business Park, Mell, Drogheda, Co. Louth.
Description of project	Construction of a light industrial / production space with associated office use.		
Brief site description, relevant to WFD Screening,	This is a greenfield site within the urban area of Drogheda.		
Proposed surface water details	Surface water run off would be directed to an attenuation tank located in the south-western corner of the site. When the tank is full the attenuated water would discharge to a proposed attenuation pond located to the west of the appeal site. The information submitted indicates that this off-site attenuation pond would manage surface water for the business park roads and other future developments within the business park. Water from this attenuation pond will be released to the nearby watercourse (Tullyeskar_010) at controlled greenfield rates.		
Proposed water supply source & available capacity	It is proposed to connect to the public network.		
Proposed wastewater treatment system & available capacity, other issues	It is proposed to connect to the public network.		

Others?						
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status (2016-2021)	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body.	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
River Waterbody	400m north and c. 450m west and northwest	Tullyeskar_010 (IE_EA_07T270880)	Moderate	Under review	No pressures	No direct pathway. Indirect pathway view drainage ditches to the south and southwest of the site.
Groundwater Waterbody	Underlying site	Wilkestown groundwater body (IE_EA_G_010)	Poor	At Risk	Agriculture	No direct pathway

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.

CONSTRUCTION PHASE

No.	Component	Waterbody 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.	Surface	Tullyeskar_010 (IE_EA_07T270880)	Surface water and foul drainage will be directed through the drainage networks.	Siltation, pH (Concrete), hydrocarbon spillages	Standard construction practices	No	Screened out
2.	Ground	Wilinstown groundwater body (IE_EA_G_010)	Pathway exists but poor drainage characteristics	Spillages	Standard construction practice	No	Screened out
OPERATIONAL PHASE							
3.	Surface	Tullyeskar_010 (IE_EA_07T270880)	Surface water and foul drainage will be	Hydrocarbon spillage	SUDs features	No	Screened out

			directed through the drainage networks.				
4.	Ground	groundwater body (IE_EA_G_010)	Pathway exists but poor drainage characteristics	Spillages	SUDs features	No	Screened out
DECOMMISSIONING PHASE							
5.	NA						

Appendix 3:

Appropriate Assessment Screening (Stage 1) and Appropriate Assessment (Stage 2)

Screening for Appropriate Assessment Test for likely significant effects
<i>Brief description of project</i>
A description of the project is summarised in Section 2 of my report. In summary, the proposed development comprises the construction of a new Advanced Building Solution (ABS) with a gross floor area of 4,701sqm, consisting of light industrial/production spaces and office use and all associated site works.
<i>Brief description of development site characteristics and potential impact mechanisms</i>
The site has a stated area of 2.06 ha and forms part of a larger landholding (c. 15.47ha) within the applicant's (IDA) ownership that is referred to as the IDA Drogheda North Business Park. There are no surface water features located within the appeal site. There are drainage ditches located to the south and southwest of the appeal site which could potentially provide connectivity to the Tullyeskar Stream is located c. 450m west of the appeal site. The Tullyeskar Stream is also located c. 400m north and c. 450m northwest of the appeal site, however, given the topography of the site it is unlikely that surface water would drain in this direction. The Tullyeskar Stream is a tributary of the River Boyne. The construction phase would be completed within 12-16 months and would include localised excavation works within the footprint of the appeal site. Potential construction phase run-off could contribute to downstream impacts such as increased siltation, nutrient release and/or contamination. These impacts could contribute to habitat degradation and deterioration of water quality in the receiving and downstream environments. During the operational phase surface water would be attenuated on site in a specifically designed storm water attenuation system and would ultimately be discharged to the Tullyeskar Stream.
<i>Screening Report / Natura Impact Statement</i>
An Appropriate Assessment Screening and Natura Impact Statement was prepared by Delichon Ecology and submitted in support of the application.
<i>Relevant Submissions</i>
No submissions from a third party or a prescribed body with regard to AA.
Identification of relevant European sites using the Source-pathway-receptor model

The proposed development is not located within or adjacent to any designated site. Therefore, the proposed development would not result in any direct effects such as habitat loss on any European Site.

Four European sites were identified as being located within a potential zone of influence of the proposed development as detailed in Table 1 below. The applicants AA Screening Report identifies 2. no additional designated sites (River Nanny Estuary and Shore SPA 004158 and Clogher Head SAC 001459), that are within 15km of the appeal site. However, as there is no potential connectivity from the proposed development to these sites, they are not considered to be within the potential zone of influence, and are excluded from any further assessment.

Site synopsis and conservation objectives can be found on the NPWS website (www.npws.ie)

Table 1: European Sites within the Zone of Influence.

European Site (code)	Summary of Qualifying Interests	Distance from proposed development	Ecological connections (source, pathway, receptor)	Consider further in screening Y/N
River Boyne and River Blackwater SAC (002299)	Alkaline fens Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> River Lamprey Salmon Otter	c. 1.7km south	Yes, indirect hydrological connection to the River Boyne via surface water run-off to drainage channels located to the south and south-west of the site boundary, which drain to the Tullyeskar Stream located c. 450m southwest of the appeal site, which is a tributary of the River Boyne	YES
River Boyne and River Blackwater SPA (004232)	Kingfisher	c. 2.1km south / southwest	Yes, indirect hydrological connection to the River Boyne via surface water run-off to drainage channels located to the south and south-west of the site boundary, which	YES

			drain to the Tullyeskar Stream located c. 450m southwest of the appeal site, which is a tributary of the River Boyne	
Boyne Estuary SPA (004080)	Shelduck Oystercatcher Golden Plover Grey Plover Lapwing Knot Sanderling Black-tailed Godwit Redshank Turnstone Little Tern Wetland and Waterbirds	c. 4.2km southeast	Yes, indirect hydrological connection to the River Boyne via surface water run-off to drainage channels located to the south and south-west of the site boundary, which drain to the Tullyeskar Stream located c. 450m southwest of the appeal site, which is a tributary of the River Boyne which provides connectivity to the Boyne Estuary.	YES
Boyne Coast and Estuary SAC 001957	Estuaries Mudflats and sandflats not covered by seawater at low tide Annual vegetation of drift lines Salicornia and other annuals colonising mud and sand Atlantic salt meadows Embryonic shifting dunes Shifting dunes along the shoreline with Ammophila arenaria (white dunes)	c. 4.1km southeast	Yes, indirect hydrological connection to the River Boyne via surface water run-off to drainage channels located to the south and south-west of the site boundary, which drain to the Tullyeskar Stream located c. 450m southwest of the appeal site, which is a tributary of the River Boyne which provides connectivity to the Boyne Estuary.	YES

	Fixed coastal dunes with herbaceous vegetation			
Likely effects of the project, alone or in combination on European Sites				
The proposed development would not result in any direct effects to a designated site. However, due to the indirect hydrological link of the proposed development to the River Boyne and River Blackwater SAC, the River Boyne and River Blackwater SPA, the Boyne Estuary SPA and the Boyne Coast and Estuary SAC, via surface water run-off and the Tullyeskar Stream, impacts generated by the construction of the proposed development requires consideration. Sources of impact and likely significant effects are detailed in Table 2 below.				
Table 2: Screening Matrix				
Site name	Possibility of significant effects (alone) in view of the conservation objectives of the site			
	Impact	Effects		
River Boyne and River Blackwater SAC (002299)	No direct impacts envisioned. Indirect impacts include the potential release of silt and sediment during site works and potential release of construction related compounds including hydrocarbons to surface water.	Potential damage to riparian and river habitats associated with inadvertent spillages of hydrocarbons and/or other chemicals during construction phase. Potential damage to the habitats and qualifying interest species dependent on water quality, an impact of sufficient magnitude could undermine the sites conservation objectives.		
Yes: Likelihood of significant effects from proposed development alone				
No: Likelihood of significant effects occurring in combination with other plans or projects				
	Impacts	Effects		

River Boyne and River Blackwater SPA (004232)	No direct impacts envisioned. Indirect impacts include the potential release of silt and sediment during site works and potential release of construction related compounds including hydrocarbons to surface water.	A decline in water quality would undermine the conservation objectives set for water quality targets and to prey availability
Yes: Likelihood of significant effects from proposed development alone		
No: Likelihood of significant effects occurring in combination with other plans or projects		
	Impacts	Effects
Boyne Estuary SPA (004080)	No direct impacts envisioned. Indirect impacts include the potential release of silt and sediment during site works and potential release of construction related compounds including hydrocarbons to surface water.	A decline in water quality would undermine the conservation objectives set for water quality targets and to prey availability.
Yes: Likelihood of significant effects from proposed development alone		
No: Likelihood of significant effects occurring in combination with other plans or projects		
	Impacts	Effects
Boyne Coast and Estuary SAC (001957)	No direct impacts envisioned. Indirect impacts include the potential release of silt and sediment during site works and potential release of construction related compounds including hydrocarbons to surface water.	Potential damage to riparian and river habitats associated with inadvertent spillages of hydrocarbons and/or other chemicals during construction phase. Potential damage to the habitats dependent on water quality, an

		impact of sufficient magnitude could undermine the sites conservation objectives.
Yes: Likelihood of significant effects from proposed development alone		
No: Likelihood of significant effects occurring in combination with other plans or projects		
Based on the information provided in the screening report, my site visit, review of the conservation objectives and supporting documents, I consider that in the absence of mitigation measures beyond best practice construction methods, the proposed development has the potential to result significant effects on the River Boyne and River Blackwater SAC, the River Boyne and River Blackwater SPA, the Boyne Estuary SPA and the Boyne Coast and Estuary SAC. I concur with the applicants' findings that such impacts could be significant in terms of the stated conservation objectives of these designated sites when considered on their own and in combination with other projects and plans in relation to pollution related pressures and disturbance on qualifying interest habitats and species.		
Screening Determination		
Finding of likely significant effects In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of objective information provided by the applicant, I conclude that the proposed development could result in significant effects on the River Boyne and River Blackwater SAC, the River Boyne and River Blackwater SPA, the Boyne Estuary SPA and the Boyne Coast and Estuary SAC, in view of the conservation objectives of a number of qualifying interest features of those sites. It is therefore determined that Appropriate Assessment (stage 2) under Section 177V of the Planning and Development Act 2000 of the proposed development is required.		

Appropriate Assessment (Stage 2)
The requirements of Article 6(3) as related to appropriate assessment of a project under part XAB, sections 177V [or S 177AE] of the Planning and Development Act 2000 (as amended) are considered fully in this section.

Taking account of the preceding screening determination, the following is an appropriate assessment of the implications of the proposed development in view of the relevant conservation objectives of the River Boyne and River Blackwater SAC, the River Boyne and River Blackwater SPA, the Boyne Estuary SPA and the Boyne Coast and Estuary SAC based on scientific information provided by the applicant.

The information relied upon includes the Natura Impact Statement prepared by Delichon Ecology. I am satisfied that the information provided is adequate to allow for Appropriate Assessment. I am satisfied that all aspects of the project which could result in significant effects are considered and assessed in the NIS and mitigation measures designed to avoid or reduce any adverse effects on site integrity are included and assessed for effectiveness.

A description of the sites and their Conservation and Qualifying Interests (QI's) / Special Conservation Interests (SCI's), including any relevant attributes and targets for these sites, are set out in the NIS and are also available on the NPWS website (www.npws.ie).

The following tables provide an assessment of the implications of the project on the qualifying interest features of the European sites using the best scientific knowledge in the field as outlined in the NIS. All aspects of the project which could result in significant effects are assessed and mitigation measures designed to avoid or reduce any adverse effects are considered and assessed.

Table 2: River Boyne and River Blackwater SAC (0002299)

Conservation Objectives: To maintain or restore the favourable conservation status of habitats and species of community interest (M/R).

Detailed Conservation Objectives available: <https://www.npws.ie>

Summary of Key issues that could give rise to adverse effects (from screening stage):

- Water quality degradation (construction)

Qualifying Interests:	Conservation Objectives Summary	Potential Adverse Effects	Mitigation Measures
Alkaline fens (M)	Maintain favourable conservation condition in relation to habitat area, habitat distribution, ecosystem function, vegetation structure and composition and physical structure.	No direct Impacts. Activities associated with construction phase may result in the release of silt / sediment laden water run-off which could negatively impact on water quality.	Section 6.2 of the NIS outlines best practice design and mitigation measures. The best practice design and mitigation measures would ensure that all potential pollutant sources would be retained within the footprint of the appeal site and would not enter the surrounding environment.
Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (R)	Restore favourable conservation condition in relation to habitat area, distribution, physical structure, vegetation structure and composition	No direct impacts Activities associated with construction phase may result in the release of silt / sediment laden water run-off which could negatively impact on water quality.	Construction Phase: Standard mitigation measures outlined include the following: Supervision and monitoring of pre-construction and construction phase by an ecologist or suitably qualified person.
Lampetra fluviatilis (River Lamprey) (R)	Restore favourable conservation condition in relation to distribution, extent and population	Given the nature of the works there will be no direct disturbance or displacement of River Lamprey or Salmon.	Works carried out in accordance with relevant legislation, standards and guidelines.
Salmon salar (Salmon) (R)	Restore favourable conservation condition in relation to distribution,	Activities associated with construction phase may result in the release of silt / sediment	

	population, number and distribution of reeds and water quality.	laden water run-off which could negatively impact on water quality.	Appropriate storage of construction materials and machinery in designated areas.
Lutra lutra (Otter) (M)	Maintain the favourable conservation condition in relation to distribution, the extent of terrestrial and freshwater habitat, couching sites and holts, fish biomass and barrier to connectivity.	Given the nature of the works there will be no direct disturbance or displacement of otters. Potential indirect impacts: Water Quality: Activities associated with construction phase may result in the release of silt / sediment laden water run-off. Impact on aquatic prey	Substantial ground works would only be carried out during periods of low rainfall, and therefore minimum surface water runoff rates Run-off would be intercepted and managed to avoid indirect sedimentation impacts on any nearby surface waters Minimisation of subsoil and bedrock required to be excavated. Excavated subsoils removed during construction will be re-used on site in the form of fill and landscaping where suitable. Dust suppression measures. Ensure all operatives are familiar with all relevant non-native invasive species Operational Phase: Surface water drainage is designed in accordance with best practice. Surface water would be attenuated on site in a specifically designed storm water attenuation system complete with hydrocarbon interceptor.

Table 3: River Boyne and River Blackwater SPA (004232)

Conservation Objectives: To maintain or restore the favourable conservation status of habitats and species of community interest (M/R).

Detailed Conservation Objectives available: <https://www.npws.ie>

Summary of Key issues that could give rise to adverse effects (from screening stage):

- Water quality degradation (construction)

Qualifying Interests:	Conservation Objectives Summary	Potential Adverse Effects	Mitigation Measures
Kingfisher (Alcedo atthis) (M)	Maintain the favourable conservation condition in relation to population, productivity, distribution, extent and quality of nesting, water quality, barriers to connectivity, disturbance to breeding sites.	Kingfishers foraging and nesting habitats along the River Boyne are remote from the appeal site and as such there should be no direct impacts. Potential indirect Impacts: Water Quality: Activities associated with construction phase may result in the release of silt / sediment laden water run-off. Impact on aquatic prey	As above.

Table 4: Boyne Estuary SPA (004080)

Conservation Objectives: To maintain or restore the favourable conservation status of habitats and species of community interest (M/R).

Detailed Conservation Objectives available: <https://www.npws.ie>

Summary of Key issues that could give rise to adverse effects (from screening stage):

- Water quality degradation (construction)

Qualifying Interests:	Conservation Objectives Summary	Potential Adverse Effects	Mitigation Measures
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Shelduck (<i>Tadorna tadorna</i>) (M)	Maintain the favourable conservation condition in relation to population trend and distribution.	Given the nature of the works there will be no direct disturbance or displacement of species	As above.
Oystercatcher (<i>Haematopus ostralegus</i>) (M)	Maintain the favourable conservation condition in relation to population trend and distribution.	Potential indirect impacts: Water Quality: Activities associated with construction phase may result in the release of silt / sediment laden water run-off.	
Golden Plover (<i>Pluvialis apricaria</i>) (M)	Maintain the favourable conservation condition in relation to population trend and distribution.	Impact on aquatic prey	
Grey Plover (<i>Pluvialis squatarola</i>) (M)	Maintain the favourable conservation condition in relation to population trend and distribution.		
Lapwing (<i>Vanellus vanellus</i>) (M)	Maintain the favourable conservation condition in relation to population trend and distribution.		
Knot (<i>Calidris canutus</i>) (M)	Maintain the favourable conservation condition in relation to population trend and distribution.		
Sanderling (<i>Calidris alba</i>) (M)	Maintain the favourable conservation condition in relation to population trend and distribution.		
Black-tailed Godwit (<i>Limosa limosa</i>) (M)	Maintain the favourable conservation condition in relation to population trend and distribution.		

Redshank (Tringa totanus) (M)	Maintain the favourable conservation condition in relation to population trend and distribution.		
Turnstone (Arenaria interpres) (M)	Maintain the favourable conservation condition in relation to population trend and distribution.		
Little Tern (Sternula albifrons) (M)	Maintain the favourable conservation condition in relation to breeding population, productivity rate, distribution, prey biomass available, barriers to connectivity and disturbance at breeding sites.		
Wetland and Waterbirds (M)	Maintain the favourable conservation condition in relation to habitat area.		
Table 5: Boyne Coast and Estuary SAC 001957 Conservation Objectives: To maintain or restore the favourable conservation status of habitats and species of community interest (M/R). Detailed Conservation Objectives available: https://www.npws.ie Summary of Key issues that could give rise to adverse effects (from screening stage): • Water quality degradation (construction)			
Qualifying Interests:	Conservation Objectives Summary	Potential Adverse Effects	Mitigation Measures
Estuaries (M)	Maintain favourable conservation condition in relation to habitat area and community distribution.	No direct Impacts. Activities associated with construction phase may result in the release of silt / sediment	As above.

Mudflats and sandflats not covered by seawater at low tide (M)	Maintain favourable conservation condition in relation to habitat area and community distribution.	laden water run-off which could negatively impact on water quality.	
Annual vegetation of drift lines	Maintain / Retore favourable status.		
Salicornia and other annuals colonising mud and sand (R)	Restore favourable conservation condition in relation to habitat area, habitat distribution, physical structure and vegetation structure and composition.		
Atlantic salt meadows (Glauco-Puccinellietalia maritima) (M)	Maintain favourable conservation condition in relation to habitat area, habitat distribution, physical structure and vegetation structure and composition.		
Mediterranean salt meadows (Juncetalia maritimi)	Maintain / Retore favourable status. Currently under review.		
Embryonic shifting dunes (R)	Restore favourable conservation condition in relation to habitat area, habitat distribution, physical structure and vegetation structure and composition.		
Shifting dunes along the shoreline with Ammophila arenaria (white dunes) (R)	Restore favourable conservation condition in relation to habitat area, habitat distribution, physical structure and vegetation structure and composition.		

Fixed coastal dunes with herbaceous vegetation (grey dunes) (R)	Restore favourable conservation condition in relation to habitat area, habitat distribution, physical structure and vegetation structure and composition.		
Assessment: <i>Surface Water Quality:</i> <u>Construction Phase:</u> Activities associated with construction phase may result in the release of silt / sediment laden water run-off to the drainage ditches to the south and southwest of the appeal site which could potentially provide connectivity to the Tullyeskar Stream, c. 450m west of the appeal site, which is a tributary of the River Boyne. Standard pollution prevention measures would be put in place during the construction phase. These measures are standard practice for construction sites and would be required for a development on any site, irrespective of any potential hydrological connection to a designated site. In the event that the pollution control measures were not correctly implemented or failed I am satisfied that due to the nature of the qualifying interests, the separation distance (a minimum of 1.7km km as the crow flies), to the distant and interrupted hydrological connection and the volume of water (dilution factor) separating the appeal site from the designed sites, that the impact on the qualifying interests of the River Boyne and River Blackwater SAC, the River Boyne and River Blackwater SPA, the Boyne Estuary SPA and the Boyne Coast and Estuary SAC would not be significant. <u>Operational Phase:</u> During the operational phase surface water would be attenuated on site in a specifically designed storm water attenuation system and would ultimately be discharged to the Tullyeskar Stream. The development would connect to the public foul network. I am satisfied that no preventative mitigation measures are required during the operational phase to protect any designated site. <u>Ex-Situ Habitat:</u> There is no spatial overlap with between the appeal site and River Boyne and River Blackwater SPA or the Boyne Estuary SPA. There is no evidence of any qualifying interest of these designated sites utilising the appeal site. No preventative mitigation measures are required.			

In-combination effects

Table 5.2 of the AA Screening Assessment provides a summary of all programmes, plans and projects that could potentially result in in-combination effect with the proposed development. Of note is Reg. Ref. 23/60115, ABP 319281 for a galvanising plant on the opposite side of the access road to the proposed development. An NIS has been submitted with this application which concludes that the development would not result in any adverse effect on any designated site.

I am satisfied that in-combination effects has been assessed adequately in the NIS. The applicant has demonstrated satisfactorily that no significant residual effects will remain post the application of mitigation measures and there is therefore no potential for in-combination effects.

Findings and Conclusions

The applicant determined that following the implementation of mitigation measures, the construction and operation of the proposed development alone, or in combination with other plans and projects, will not adversely affect the integrity of this European site. Based on the information provided, I am satisfied that adverse effects arising from aspects of the proposed development can be excluded for the European sites considered in the Appropriate Assessment.

No direct impacts are predicted. Indirect impacts would be temporary in nature and mitigation measures are described to prevent ingress of sediment and or silt laden surface water. I am satisfied that the mitigation measures proposed to prevent adverse effects have been assessed as effective and can be implemented.

Site Integrity

The proposed development will not affect the attainment of the Conservation objectives of the River Boyne and River Blackwater SAC, the River Boyne and River Blackwater SPA, the Boyne Estuary SPA and the Boyne Coast and Estuary SAC. Adverse effects on site integrity can be excluded and no reasonable scientific doubt remains as to the absence of such effects.

Appropriate Assessment Conclusion: Integrity Test

In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on the River Boyne and River Blackwater SAC, the River Boyne and River Blackwater SPA, the Boyne Estuary SPA and the Boyne Coast and Estuary SAC in view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of S177U/ 177AE was required. Following an examination, analysis and evaluation of the NIS, all associated material submitted, I consider that adverse effects on site integrity of the River Boyne and River Blackwater SAC, the River Boyne and River Blackwater SPA, the Boyne Estuary SPA and the Boyne Coast and Estuary SAC can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects.

My conclusion is based on the following:

- Detailed assessment of construction and operational impacts
- An assessment of in-combination effects
- The proposed development will not affect the attainment of conservation objectives for the River Boyne and River Blackwater SAC, the River Boyne and River Blackwater SPA, the Boyne Estuary SPA and the Boyne Coast and Estuary SAC or prevent or delay the restoration of favourable conservation condition
- Effectiveness of mitigation measures proposed

It is also noted that the planning authority concluded that the proposed development, subject to mitigation measures outlined in the NIS, would not adversely affect, either directly or indirectly, the integrity of any European Site, either alone or in combination with other plans or projects.