



An
Coimisiún
Pleanála

Inspector's Report

ABP-321426-24

Development	Construction of supermarket with off-licence along with all associated site works. NIS included.
Location	Knock Shee Avenue, Blackrock, Dundalk, Co. Louth
Planning Authority	Louth County Council
Planning Authority Reg. Ref.	2460033
Applicant(s)	Lidl Ireland GmbH
Type of Application	Permission
Planning Authority Decision	Grant Permission with Conditions
Type of Appeal	Third Party
Appellant(s)	1. Monahill Supermarkets Limited 2. Paul and Faye Healy 3. Tim Compton – Knockshee Management Company CLG
Observer(s)	John Horan – Blackrock Tidy Towns

Date of Site Inspection

22nd August 2025

Inspector

Paul O'Brien

Contents

1.0 Site Location and Description	4
2.0 Proposed Development	4
3.0 Planning Authority Decision	5
4.0 Planning History.....	10
5.0 Policy Context.....	11
6.0 EIA Screening.....	15
7.0 The Appeal	15
8.0 Assessment	24
9.0 AA Screening.....	32
10.0 Water Framework Directive	33
11.0 Recommendation	34
12.0 Reasons and Considerations.....	34
13.0 Conditions	35
Appendix 1 – AA Screening Determination	43
Appendix 2 – Appropriate Assessment	48
Appendix 3 – EIA Pre-Screening	58
Appendix 4 – EIA Screening Determination	60
Appendix 5: WFD IMPACT ASSESSMENT STAGE 1: SCREENING.....	62

1.0 Site Location and Description

- 1.1. The subject site, with a stated site area of 1.04 hectares, consists of an almost rectangular shaped area of land located to the north east of the Golf Links Road and to the south east of Knock Shee Avenue, Blackrock, Co. Louth. The site is approximately 1.5km to the north west of Blackrock and 3.9km to the south of Dundalk town centre. To the south of the site, on the Old Golf Links Road, is a name/ welcome stone for Blackrock, indicating that the site is just on the entrance point to Blackrock village.
- 1.2. The relatively flat site is clear of any structures with small amounts of rubble, some unmanaged trees/ shrubs and some hardstanding in place. The site boundary consists of a mix of block walls, timber fencing and Harris type fencing, though significant sections of the boundary fencing have collapsed with temporary measures put in place. There are footpaths adjoining the site boundary including public lighting and some landscaping.
- 1.3. To the north west of the site are houses forming the Knock Shee Avenue residential development, to the south west, with a two storey apartment block located to the eastern side of the site. On the opposite side of the Old Golf Links Road, to the south west of the subject site, is a large building in operation as a Health, Spa and Fitness centre, and there are detached houses to the south east of the subject site.
- 1.4. The Fairways Hotel is located approximately 220m to the south of the southern boundary of the subject site. Included with the hotel is a SuperValu supermarket, a Costa Coffee and a pharmacy. This development is called the Fairways Centre, with access from the R132 Old Dublin Road.

2.0 Proposed Development

- 2.1. The proposed development consists of the following:
 - The construction of a discount foodstore supermarket with ancillary off-licence sales, comprising of the construction of a single-storey discount foodstore supermarket with ancillary off-licence use (with mono-pitch roof and internal mezzanine plant deck) measuring 2,295sq m gross floor space with a net retail sales area of 1,499sq m.

- Provision of vehicular and pedestrian access, car and cycle parking.
- Free standing and building mounted signage, trolley bay cover/enclosure, refrigeration and air conditioning plant and equipment, roof mounted solar panels, public lighting, hard and soft landscaping, boundary treatments, drainage infrastructure and connections to services/ utilities, electricity substation and all other associated and ancillary development.
- Significant further information received on 30/08/2024 which provides for, inter alia, an updated Natura Impact Statement and coffee shop. Coffee shop has a stated floor area of 141.84sq m and the seated area is 89.48sq m.

3.0 Planning Authority Decision

3.1. Decision

- Following the receipt of significant further information, the Planning Authority decided to grant permission subject to conditions.

3.1.1. Conditions

The Planning Authority decision includes conditions which are generally standard for a development of this nature, though I note the following in summary:

Condition no.2: The café/ public plaza area to be built in tandem with the retail unit, site to be fully landscaped and the café to be operational prior to the opening of the retail unit.

Condition no. 15: Details in relation to piling on site. Peak particle velocity of 5mm per second in any of three mutually orthogonal planes not to be exceeded.

Conditions no. 16 and 17: Refer to noise control/ noise levels during the construction phase.

Condition no. 18: Refers to road infrastructure, car parking, road works to be undertaken and the development to demonstrate compliance with the Flood Risk Management Guidelines. Also details in relation to surface water drainage and SuDS.

Condition no. 21: Archaeological requirements.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The planning report reflects the decision to grant permission for this development. Further information was sought in relation to the following points:
 1. Provide for a suitable high quality of building and layout on this prominent site.
 2. Engage with Uisce Éireann in order to provide for a water supply/ foul drainage connection to the subject site.
 3. Need for road pavement upgrade works to be determined, provision to be made for cycle/ footpath works and revisions required for junction of the Old Golf Links Road and Knockshee Avenue. Also, the submitted TIA to be updated to consider additional right turning lane from the Old Golf Links Road to Knockshee Avenue as well as other junction works. A quality audit to be provided in accordance with Section 5.42 of DMURS, Road Safety Audit stage 2 is requested, assess the functioning of public street lighting and provide details on surface water drainage.
 4. Need for the preparation of an Archaeological Impact Assessment.
 5. Provision to be made for electric vehicle charging on site.
 6. Need for the preparation of a Construction Waste and Demolition Management Plan.
 7. Revised public notices if the submitted information is considered to be a significant alteration from the original proposal.

The Planning Authority were generally satisfied with the submitted information and recommended a grant of permission subject to conditions. A revised Natura Impact Statement (NIS) was submitted with the further information response, and this was acceptable to the Planning Authority.

3.2.2. Other Technical Reports

- Environment Section: No objection subject to recommended conditions.
- Place Making & Physical Development Section: Further information requested in relation to the need for an assessment of the quality of the road pavement along Knockshee Avenue, need for a section of a footpath/ cycle

track along Old Golf Links Road, need to assess the junction of Old Golf Links Road and Knockshee Avenue in the context of DMURS and the National Cycle Manual as it is not currently compliant with these guidelines, there is a need for the TIA to be revised having regard to a number of listed aspects of the junction design, there is a requirement for a quality audit, a need to assess the existing public lighting on Knockshee Avenue and to submit evidence of permission from the landowner/ developer regarding the discharge of surface water from the subject site to a private surface water network that is not within the control of the applicant.

On receipt of the further information response, the Place Making & Physical Development Section reported no objection to this development subject to recommended conditions.

3.3. Prescribed Bodies

Uisce Éireann: Further information sought requesting that the applicant engage with Uisce Éireann through the submission of a Pre-Connection Enquiry (PCE) to determine the feasibility of connection to the public wastewater infrastructure. Second report stating no objection subject to conditions following the receipt of further information.

Department of Housing, Local Government and Heritage – Development Applications Unit (DAU): Note the large size of the site and the location with a landscape that is rich in recorded and unrecorded subsurface features/ archaeological materials. Conditions are recommended in the event that permission is granted for this development.

3.4. Third Party Submissions

11 no. submissions were received in relation to the original application. Submissions were made by Blackrock Tidy Towns and by the Haggardstown and Blackrock Community Form as well as from individual members of the public. The following issues, summarised, were raised:

- Procedural issues such as the wording of the public notices and which may be misleading. The submitted form is not signed/ or dated by the applicant/ their agent.

- Two structures on site are to be demolished but they are not described in the public notices. Similarly, part of the boundary wall may require to be demolished but is not listed in the public notices.
- There are three recorded monuments located to the north of the subject site, and which are not identified by the applicant.
- There is a need for an archaeological assessment to be included with the application.
- Insufficient details provided in relation to surface water drainage.
- Recent application under PA Ref. 22/156 indicates that the site is not suitable for a retail development of the scale proposed.
- The existing SuperValu store located in the Fairways Centre to the south of the Old Golf Links Road meets the retail needs of the area in terms of convenience shopping.
- The development does not demonstrate that it complies with the sequential test requirements and does not comply with the requirements of the Louth County Development Plan 2021 – 2027. Permitting this development would result in an exceedance of the projected convenience floor space requirements of the Louth County Retail Strategy and would for this reason the proposed development would be in direct and material contravention of Policy EE 66 of the Louth County Development Plan and the Louth County Retail Strategy.
- There are material omissions in the submitted Retail Impact Assessment and insufficient information has been provided to demonstrate that the development would not impact on Dundalk Town Centre and/ or other retail centres in County Louth.
- The retail provision would be contrary to the National and Local Retail Planning Policy. The site is zoned for 'neighbourhood uses' and the proposed development would be in excess of that. As per Table 5.3 of the Louth County Development Plan 2021 – 2027, the site is located within Level 4 of the county retail hierarchy. The site is remote from the centres of Blackrock and Dundalk.
- The proposed design is not acceptable in this prominent location.

- There is an overprovision of car parking to serve this site – 46 additional car parking spaces in terms of Net Retail Floor Area and 6 additional car parking spaces in terms of Gross Retail Floor Space.
- Inadequate and insufficient bicycle parking provision is made on this site to serve this development.
- The subject site is not appropriate for a development of this nature. This would be the only retail development on this side of the Old Golf Links Road.
- This area has suffered from overdevelopment and insufficient upgrading of infrastructure to meet increased demand arising from the scale of development in the area.
- There is insufficient capacity for the Old Golf Links Road to take any increase in traffic.
- The removal of an entrance bed and name stone with replacement with a low knee high fence would have a negative impact on the approach to Blackrock Village.
- The proposed development would be a destination development in its own right and would give rise to traffic congestion in the area.
- There is a potential for traffic safety issues due to the access arrangements to the subject site.
- There is a need for an Environmental Impact Assessment to be considered having regard to the proximity of the development to Dundalk Bay SAC and Dundalk SPA.
- Concern about the sustainability of this development in an area with existing good retail provision.
- The proposed development would be better located in other parts of the Blackrock/ Dundalk area.

Further details were raised following the submission of the further information response by the applicant.

- Procedural issues in relation to the submitted FI response and description of details provided.

- A revised Natura Impact Statement has been submitted but is not listed in the revised public notices.
- Insufficient time available to make a comment on the submitted FI response.
- Insufficient revisions have been made to the design of the proposed retail unit.
- The applicant has not revised the layout or building design in accordance with the FI request issues by Louth County Council.
- Lidl are well able to provide for high quality developments having regard to the adjoining environment and examples of such are indicated in the submission by Knock Shee Management Co.
- The proposed Uisce Éireann - confirmation of feasibility does not provide for the proposed café and revised details should be requested from the applicant.
- Works to the road network are proposed only if they are off set against financial contributions to be levied on the applicant. It appears that no real works to the road network are proposed here.
- Query over the revised TIA and the implication that the provision of a café will result in reduced traffic in the AM and PM peaks.

Other issues raised in response to the submitted further information were raised in the original submissions on this development. Requests made that the proposed development be refused permission.

4.0 Planning History

PA Ref. 06/753 refers to a December 2006 decision to grant permission for a Neighbourhood Shopping Centre & 83 residential units. The development was subsequently modified under **PA Ref. 06/1786** and **PA Ref. 07/1329**.

ABP Ref. 237632/ PA Ref.10/21 refers to a March 2011 decision to grant Outline permission for district centre in place of neighbourhood shopping centre.

PA Ref. 22/156 refers to an April 2022 decision to refuse permission for 3 no. buildings comprising of the following:

a) Building no. 1 which has ground floor retail, a community digital hub office accommodation on the first, second and third floors and a yoga, pilates and wellness centre with a juice bar and healthy snacks facility on the fourth floor.

b) Building no. 2 which has ground floor retail, a community digital hub office accommodation on the first, second and third floors and a spa treatment and wellness centre on the fourth floor.

(c) Building no. 3 which has ground floor retail, a community digital hub office accommodation on the first, second and third floors and a gymnasium and fitness centre on the fourth floor. Two reasons of refusal were issued as follows, in summary:

1. The site is zoned for a neighbourhood centre and the scale of development is considered to be excessive for the intended use, would be contrary to the Retail Planning Guidelines, would be contrary to the Louth County Development Plan 2021 – 2027 and the County Retail Strategy and would detract from the viability of Dundalk town centre. The development would also be contrary to the ‘Town Centre First’ approach set out in the Louth County Development Plan 2021 – 2027 and would contravene policy objectives set out in the plan.
2. This is considered a visually important site, and the proposed development does not provide for a suitable architectural response in terms of building height, design, configuration and layout.

5.0 Policy Context

5.1. Development Plan

The Louth County Council Development Plan 2021 - 2027 (as varied), is the current statutory plan for County Louth. The Core Strategy is provided in Chapter 2 and refers to the RSES and that Dundalk and Drogheda are designated as Regional Growth Centres (RGCs). These are described in Table 2.4 – ‘Settlement Hierarchy for County Louth’: ‘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.’

Section 5.2 of Chapter 5 outlines the requirements for Retail development. As per Table 6.1 of the RSES and restated in the development plan under table 5.2, Dundalk and Drogheda are designated as 'Level 2' – 'Major Town Centres and County Towns.' Section 5.21 refers to the 'Louth Retail Strategy'. Section 5.24 refers to the 'Town Centre First Approach' and which 'places the health of town centres at the heart of decision making.' This chapter includes a list of policy objectives and I note the following:

EE64 – 'To promote a healthy competitive retail environment within County Louth and to maintain the vitality and viability of the town and village centres and their role as primary retail core areas.'

EE66 – 'To ensure that applications for retail development comply with the provisions of the Louth Retail Strategy.'

EE70 – 'To support the 'Town Centre First Approach' and the establishment of any future town centre management initiatives that seek to promote this approach. '

EE74 – 'To promote the provision of local retail centres serving small, localised catchment populations in new residential areas, commensurate with locally generated needs.'

EE75 – 'To promote the improvement of the environment and public realm of town and village centres through good design, landscaping, street furniture, improve mobility through traffic management, and co-operate with Tidy Towns Committees and other community groups in the implementation of environmental improvement schemes.'

EE80 – 'To encourage the incorporation of blinds, where required, into the shopfront fascia so that they are capable of being retracted when not in use. Curved and Dutch canopies will be discouraged.'

EE81 – 'To ensure that all signage development complies with the relevant assessment criteria and guidance as set out within the Development Management Guidelines (Chapter 13) of this Plan unless otherwise provided for in a Local /Urban Area Plan.'

Chapter 13 provides the Development Management Guidelines for County Louth. Section 13.14 refers to 'Retail'. The following are noted:

- 13.3.1 Appropriate Assessment
- 13.3.2 Environmental Impact Assessment
- 13.16.9 Electric Charging Points
- 13.16.12 Car Parking Standards
- 13.16.13 Work Place Travel Plans
- 13.16.14 Traffic and Travel Assessments
- 13.16.16 Cycle Parking

Other relevant chapters include Chapter 7 – Movement and Chapter 10 – Infrastructure and Public Utilities. The Louth Retail Strategy is included in Appendix 4 of the Louth County Development Plan 2021 – 2027. Section 1.4.2 refers to Dundalk and Table 3.0 provides the ‘Principal Convenience Operators within Dundalk’.

5.2. Local Area Plan

The subject site is located within the designated area of the Dundalk Local Area Plan 2025 – 2031 and which came into effect on the 17th of April 2025. The subject site is on lands zoned B2 – Neighbourhood Centre and with an objective, provided in the Louth County Development Plan, ‘To provide for and improve local neighbourhood facilities.’ Under the section on Guidance it states:

‘It is intended that land zoned for ‘neighbourhood centre’ will be developed to provide an appropriate range of local services including commercial, office, retail and community uses, to support the local community. Supermarket (Convenience) type development up to 1,500 m² of net retail floor space will generally be permissible in this zone. Neighbourhood centres may where appropriate include an element of residential development particularly above ground floor level.’

Under the category ‘Generally Permitted Use’ are ‘Coffee Shop/ Tea Room, Shop ≤200m², Shop (Convenience) ≤1,500m²’. Open for Consideration uses include ‘Offices, Residential and Restaurant’.

A National Monument is indicated as located to the east of the subject site.

The site is located outside of Flood Zones A and B.

Appendix 3 of the Dundalk Local Area Plan provides a 'Retail Strategy Quantitative Analysis'.

5.3. National/ Regional Plans/Policies

The Eastern & Midland Regional Assembly Regional Spatial & Economic Strategy (RSES) defines Dundalk as a Regional Growth Centre and an important settlement on the Dublin – Belfast Economic Corridor. There is a target for the population to reach 50,000 by 2031. Under the Section Regional Policy Objectives, the following relevant objectives refer to the development of Dundalk:

'RPO 4.19: A statutory Urban Area Plan (UAP) shall be prepared by Louth County Council for the Regional Growth Centre of Dundalk in collaboration with the EMRA. The UAP will support the development of Dundalk as an attractive, vibrant and highly accessible Regional Centre and economic driver. The UAP will identify a functional urban area and plan boundary for the plan area and strategic housing and employment development areas and infrastructure investment requirements to promote greater coordination and sequential delivery of serviced lands for development.

RPO 4.20: Promote and enhance cross-border interactions to realise the growth potential of Drogheda-Dundalk-Newry as an important cross-border network for regional development.

RPO 4.21: Enhance Dundalk's role as a strategic employment centre on the Dublin-Belfast Economic Corridor and provide for employment opportunities through identification of suitable sites for new industry including FDI.

5.4. National Guidance

Retail Planning – Guidelines for Planning Authorities, April 2012.

Retail Design Manual - A companion document to the Retail Planning Guidelines for Planning Authorities, April 2012

5.5. Natural Heritage Designations

- Dundalk Bay pNHA (Site Code 000455) is 1.7km to the east of the subject site.

- Dundalk Bay SPA (Site Code 004026) and Dundalk Bay SAC (Site Code 000455) are also 1.7km to the east of the subject site.

6.0 EIA Screening

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in the Appendices 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.

7.0 The Appeal

7.1. Grounds of Appeal

A total of three third party appeals were received, and I have summarised the issues raised under the relevant appellant as follows:

Monahill Supermarkets Ltd.

Procedural issues

- The appeal has identified a number of procedural issues with the application due to inaccurate site notices and inaccurate details on submitted drawing/ plans. Specifically, no reference is made to the demolition of two structures on site. These should be clearly indicated and stated in the submitted documentation. The appeal notes that these structures have been removed during the course of consideration by the Planning Authority. Unclear as to how these were permitted to be removed from the site.
- The two structures were not listed or detailed in the submitted application form.
- There is likely a need to remove part of the boundary wall, but this is not stated in the submitted application.
- Applicant has stated that the development is not near a national monument; this is incorrect as there are recorded monuments to the north of the subject site.

- Full details in relation to surface water drainage are not provided by the application.
- A revised Natural Impact Assessment (should be NIS) has been provided in response to the further information request but is not highlighted in the public notices.

Grounds of Appeal

- Reference the previous refusal on this site under PA Ref. 22-156, due to excessive scale of development and was of a scale that would exceed that intended for a neighbourhood centre. The proposed development with a gross floor space of 2,295sqm exceeds that of the refused permission which had a proposed floor area of 2,133sq m. There have been no changes in planning policy since the previous application was considered. The provision of a Lidl supermarket would have a greater impact on the area than the previous application which proposed a number of small retail units.
- Considers that the Planning Authority have misinterpreted their plan who report that there is no limit on the number of supermarkets that can be permitted on B2 zoning. The appellant considers that the need for supermarkets in the area has been met through the existing SuperValu unit at the Fairways Centre to the south of the subject site on the Old Dublin Road.
- The proposed development of 2,295sqm would exceed the convenience floor space for B2 zoned lands.
- The proposed development of a supermarket would be more suitable in the Raynoldstown Village development, (which is approximately 900m to the south of the subject site) to the west of the Dublin Road.
- The subject site does not meet sequential test requirements, and the applicant proposes that this site will act as a destination location in its own right. This is contrary to the intention for a local centre, which is to serve the local population.
- The proposed development would make up a significant proportion of the additional floor space set out in the Louth County Retail Strategy for the period up to 2030. The development would materially contravene Policy EE66 of the development plan.

- There are a number of omissions in the submitted Retail Impact Assessment (RIA). The applicant makes unsubstantiated claims about a lack of trade diversion from the town centre.
- There are significant areas in Dundalk that require regeneration, and development should be focused here. Details are provided of vacancy in the Dundalk and Fairways areas.
- Reference is made to the refusal of permission under PA Ref. 22/156 for a development of 2,133sq m and which was considered to materially contravene the zoning and policy objectives of the development plan. That development would have resulted in a far bigger scheme than as proposed as a local centre. The proposed development with a floor area of 2,295sq m has a similar floor area to that refused.
- The development would exceed the floor areas set out in the current Louth County Development Plan.
- The proposed development would result in an oversupply of retail floor space in this area.
- Blackrock is not identified as a significant retail area.
- The design of the development does not provide for a suitable landmark design in this location.
- Insufficient passive surveillance is provided in this development.
- Insufficient details are provided on the proposed café which now forms part of this development.
- No indication that Uisce Éireann can facilitate the café.
- The revised NIS should have been notified in the public notices.
- Potential impacts from the proposed café have not been considered in the NIS.

Paul and Faye Healy

Procedural issues

- The appeal has identified a number of procedural issues with the application due to inaccurate site notices and inaccurate details on submitted drawing/ plans.

Specifically, no reference is made to the demolition of two structures on site. These should be clearly indicated and stated in the submitted documentation. The appeal notes that these structures have been removed during the course of consideration by the Planning Authority. Unclear as to how these were permitted to be removed from the site.

- Unclear as to what impact there will be on the existing boundary to the south of the site.
- Insufficient site description with particular reference to the roads in the area.
- Pedestrian access to the Old Golf Links Road are not referred to in the public notices.
- Insufficient notification in relation to three recorded monuments located to the north of the site.
- Insufficient details provided in terms of the submitted plans and elevations.
- No Confirmation of Feasibility has been included from Uisce Éireann.
- The submitted FI response indicates that works are proposed outside of the red line boundary of the site.
- Trees are to be removed as part of this development and insufficient details are provided on these.

Considers that the application should have been deemed to be invalid.

Grounds of Appeal

- Ground 1: Issues raised in original submission to be fully considered and are still relevant.
- Ground 2: The development is non-compliant with the B2 zoning that applies here. Shop would be more than a neighbourhood shop and would have a negative impact on retail viability/ vitality in the area.
- Ground 3: The development fails the sequential test. The site is to act as a destination in its own right and this is not appropriate for this site zoning of B2.
- Ground 4: The proposal does not comply with national retail policy in terms of hierarchy and scale of development, there is no demand for such a store in the

area, Blackrock does not have a significant retail function, and the development is contrary to the County Louth Retail Hierarchy and the Louth County Development Plan 2021 – 2027. There are also identified flaws in the submitted Retail Impact Assessment.

- Ground 5: The design proposal is not suitable for a neighbourhood centre. A higher quality of building is appropriate in this location. The appeal compares this development to the Retail Design Manual and the 10 design considerations.
- Ground 6: The Planning Authority contradicts the planning history of the site. Permission was refused for a similar development on this site under PA Ref. 22/156 and insufficient justification is given for this development.
- Ground 7: The proposed development does not indicate how the entire B2 zoned lands here are to be developed. No masterplan is proposed for the entire lands and the development would be piecemeal in nature.
- Ground 8: Concerns about the traffic generated as a result of this development and the scheme promotes car based travel. 121 car parking spaces are to be provided, and which is considered to be excessive on this site. The development would have an adverse impact on the local road network.
- Ground 9: Adverse impact on existing residential amenity. This includes overshadowing, increase in noise, nuisance/ disturbance and proximity of the building to existing houses in the area. Baseline noise assessment details are provided in the appeal.
- Ground 10: The proposed development would have an adverse impact on the visual amenities of the area. The proposed design and location of the development are not acceptable on this prominent site.
- Ground 11: The proposed development if permitted would set a poor precedent for similar development. Specifically refers to the development of supermarkets on sites zoned for neighbourhood use, poor architectural design and for the development of car orientated schemes in the suburbs of the County Louth towns.

- Ground 12: The proposed development would give rise to a depreciation of land/ property values in the area. Impact on residential amenity would in turn impact on the property value.
- Requests that permission be refused but conditions are included in the event that permission is granted and which are: An amended design with greater site frontage, relocation of the supermarket away from existing houses, provision of a wall between the site and the appellants land, relocation and enclosure of external plant and removal of all high level windows in the eastern elevation.

Knockshee Management Company CLG

- No communication was held with the residents of the Knockshee development.
- Further information process was not correctly followed as site notices were incorrect, and details were confusing.
- Previous developments were refused on site due to the zoning in place.
- The RTA is not fit for purpose, café is proposed to reduce traffic in the area, this is not accepted.
- There will be an increase in traffic in the area, increased noise and light as a result of this development.
- There is an existing supermarket in the area.
- There will be four coffee shops within 150m of the subject site.
- The development should be relocated to Raynoldstown Village which is 1400m from the subject site. Outline permission has been granted for a supermarket here.

Photographs and plans have been submitted in support of the appeals.

7.2. **Applicant Response**

The applicant has made the following comments in response to the submitted appeals:

- Full details are provided in relation to the validity of the proposed development. The structures on site were stored and not constructed here, and their removal does not form part of this application.

- There is no requirement for the development of the entire site, that is up to the applicant to decide.
- All details in relation to access were provided in the submitted documentation.
- There is no requirement to itemise every proposed item in the public notices.
- The public notice location description is considered to be adequate.
- There is no issue in relation to recorded monuments which are 'redundant records' and are not located on the subject site.
- Full drawings including contextual details are provided with the application.
- A Confirmation of Feasibility has been obtained for this development.
- Full details of surface water drainage are provided.
- The application was lodged electronically with no facility to date/ sign the relevant forms.
- Any proposed measures relating to the Road Safety Audit are included within the site/ red line boundary.
- Adequate public notices were provided in relation to the further information response, and as required by the Planning Authority.
- There is no requirement to refer to the NIS in the FI notices.
- The applicant has responded to the concerns regarding the Retail Impact Assessment (RIA). The issue of destination shopping facility is by the fact that it would be part of a neighbourhood centre serving a local area rather than a destination serving a larger area. The applicant already has two stores in the Dundalk area. Full details of the catchment are provided in the submitted RIA.
- Full details of the proposed unit are provided including the role of Neighbourhood Centre shops.
- The RIA has been prepared in accordance with relevant guidelines and has regard to recent Board decisions.
- The retail turnover of Dundalk would dwarf that of the proposed development and no significant impact is foreseen on the existing retail offer.

- Full details of the Sequential Approach are provided by the applicant and the issues raised in the appeal do not stand up to full assessment.
- The need for the unit is established in the appeal response and there is demand for such a unit in the Blackrock/ South Dundalk area.
- Refers to replacement units, with no significant increase in the available retail floor space as a result of one unit replacing an existing unit.
- Concern that the appeals are misrepresenting or ignores specific policy. Sequential test or additional RIAs are not required when it can be demonstrated that the policies/ objectives of the development plan can be met in full. The proposed development can demonstrate compliance with the requirements for a neighbourhood centre.
- The non provision of a unit here in Blackrock would have a negative impact on retail provision and competition in this area.
- The provision of a café can be considered acceptable in terms of commercial requirements. The planning system is not there to regulate the number/ operations of such café units.
- The proposed development will integrate with existing retail, leisure and commercial uses in this area. The proposed unit cannot be considered as a standalone unit but increases the range of services/ facilities in this area.
- Reject the objections to the proposed design, the applicant considers that the design is appropriate to this location.
- The provision of a multi storey block is not necessary or appropriate in this location where there is available land for the scale and type of development proposed here.
- Full regard is had to the planning history of this site. The permission refused under PA Ref. 22/156 was not of a type suitable for neighbourhood centre and the scale of development (total of 8,066sq m) was much bigger than that currently proposed.
- A detailed Noise Impact Assessment was prepared and submitted with this application. No issues of concern arise with this.

- Full consideration is made to the issues of traffic generation on this site. No issues of congestion are foreseen and in any case, such is a feature of urban areas with similar zonings.
- No impact from lighting on the existing residential units in the area is foreseen, however conditions could be included with a grant of permission to address any such issues.
- It is considered that the issues of dereliction and vacancy would have a greater impact on property values than the development of the site as proposed through this application.
- The site zoning allows for development of the nature proposed.
- Consultation was held with the Planning Authority and with members of the local community in relation to this development.
- Full details of the surface water drainage system are provided in the application.
- A NIS and a subsequent updated NIS were prepared and submitted with this application.

The applicant requests that the Commission uphold the decision of the Planning Authority and grant permission for this development.

7.3. Planning Authority Response

- No response received.

7.4. Observations

A single third party observation was received, and the following points were made:

- Welcome is made for a Lidl store in the Blackrock area but not in this location. It is suggested that a better location would be the new development site in Haggardstown.
- The subject site is on the edge of Blackrock Village and the area has suffered from overdevelopment with a lack of infrastructure improvements made in this area.
- The area suffers from excessive traffic volumes.

- Proposals for an 'Active Travel Plan'/ traffic calming could be negatively impacted by this development.
- The development would result in the removal of a boundary wall and replacement with a knee high fence. The development of the site may also impact the Blackrock name stone and associated landscaping which was provided by Blackrock Tidy Towns. Request that the boundary wall and plaque be retained in situ.

8.0 **Assessment**

8.1. The main issues that arise for assessment in relation to this appeal can be addressed under the following headings:

- Context of the Development
- Compliance with Louth County Development Plan and Retail Strategy
- Design and Impact on the Character of the Area
- Impact on Residential Amenity
- Water Supply and Drainage
- Access and Transportation
- Other Issues

8.2. **Context of the Development**

- 8.2.1. The proposed development is for the construction of a supermarket which includes an off-licence on lands to the south east of Knock Shee Avenue, Blackrock Co. Louth. In response to a further information request, the applicant revised the layout and included a stand alone coffee shop located to the south west of the site. As proposed the development provided for a gross floor area of 2,295sq m and a net retail floor area of 1,499sq m.
- 8.2.2. Access to the site is from Knock Shee Avenue which in turn connects to the Old Golf Links Road and which connects Blackrock to the Dublin Road and in turn Dundalk to the north/ north west of the site.
- 8.2.3. Comment was made that the public notices did not adequately describe all elements of the development, and I have considered this in full under Section 8.8.1 of this

report. I do wish to address the issue of existing units on site. The appeals refer to there being two structures on site, that have been removed but were not described in the public notices as part of this development. The applicant has addressed this in their appeal response and these units were only temporarily stored here and did not have any foundations and could not be considered to be structures in the general sense of this word. They were not in use for any activity, other than storage on this site. This is noted and on the day of the site visit no such structures were visible here. As Louth County Council validated this file and I did not see any such structures on site, I am satisfied that the development is adequately described in the submitted public notices.

8.3. Compliance with Louth County Development Plan and Retail Strategy

8.3.1. The subject site is located on lands zoned B2 – Neighbourhood Centre, and which allows for a supermarket of up to 1,500sq m net retail floor space. The proposed unit has a net floor space of 1,499sq m and is therefore acceptable in the terms of the B2 zoning that applies on this site. I note the objective for the B2 zoning is ‘To provide and improve local neighbourhood facilities’ and certainly the provision of an additional retail unit would improve the range and mix of retail in this area.

8.3.2. I refer to Table 7.2 of the Dundalk Local Area Plan (LAP) and which indicates that there is potential for 2,649sq m of Convenience floor space up to 2030. The associated text states, ‘In accordance with the Retail Planning Guidelines 2012, the indicative floorspace requirements set out in the tables above are only intended to provide broad guidance as to the additional quantum of floorspace provision. The quantum of floorspace should not be considered as upper or lower limits, merely as indicative of the scale of new floor space required to meet the needs of existing and future population and expenditure within Dundalk.

Any additional new floorspace proposed could replace some existing, outdated or poorly located retail floor space. In the event that a planning application is submitted for retail development which does not conform to the scale outlined in this Retail Strategy the onus is on the applicant to prove to the Planning Authority that the development will not detract from the vitality or viability of the town centre.’

8.3.3. The applicant has set out their justification for this development in their supporting documents and in general I agree with the submitted information, which has included

clarification of matters in the Further Information response. I agree that the development would not adversely affect the vitality or viability of the town centre, and the reality is that this unit would serve the needs of the local area, which has seen an increase in residential development in recent times. Table 7.2 of the Dundalk LAP makes clear that this is an indicative floor space and is not a target to be reached and then all other development is stopped. The LAP and the County Development Plan seek to protect and ensure the continued vitality/ vibrancy of the town centres such as Dundalk, and I am satisfied that this development serves the neighbourhood it is to be located in and does not impact on Dundalk town centre.

8.3.4. The scale through the floor areas of this unit is in accordance with the B2 zoning that applies here. I welcome the provision of the café unit here as it provides for a mix of uses to serve the needs of the area, as well as increasing the vibrancy of these lands.

8.3.5. Conclusion on Compliance with Louth County Development Plan and Retail Strategy: The subject site is zoned for B2 – Neighbourhood uses and the provision of a retail unit of 1499sq m net is in accordance with the zoning. The lands were deemed suitable for this zoning objective and the development has demonstrated compliance with the requirements of the B2 zoning. The café unit will provide for a modest mix of uses on these neighbourhood zoned lands. The proposed development demonstrates is in accordance with the retail requirements of the Louth County Development Plan 2021 – 2027 and the associated Louth Retail Strategy contained within Appendix 4 of the plan.

8.4. Design and Impact on the Character of the Area

8.4.1. The proposed development was revised through the further information response through the provision of the café unit to the south west of the site/ the retail unit in lieu of car parking spaces. A plaza area is to be provided around the café and this will provide for a focal point on the junction of the Knoc Shee Avenue and the Old Golf Links Road. Comment was made in the appeal to the design of the development and it not having suitable regard for the character of the area/ does not provide for a suitable streetscape.

8.4.2. The zoning of this site is for a neighbourhood use and as such the proposed development and its design is appropriate for this land use. The development seeks

to ensure that their operational requirements are met whilst also ensuring the protection of residential amenity. The existing character of the area has also to be respected. The area is defined by low density/ low rise development with more recent development such as the Fairways Centre and the fitness centre to the south providing for an increased density of development, though not significantly taller than existing development in the area.

- 8.4.3. I note the comments and examples in the appeals of supermarket units developed that have a greater emphasis on their streetscape impact. From the available information, the context of these units is very different to of the subject development. To the south east of the subject site are detached houses on large sites but with a street frontage that is set back from the roadside edge. The houses on Knock Shee Avenue are built to the streetside edge and the fitness centre to the south is set back from the adjoining roads on all sides. A defined street frontage is not a feature of the area and the setting back of the retail unit to protect residential amenity is appropriate in this context.
- 8.4.4. The provision and location of the café does provide for an active frontage on the Old Golf Links Road, with a slight setback that ensures some continuity with the houses on this road. I consider this feature to be appropriate and ensures that the character of the area is protected but also provides for a suitable active frontage on this road.
- 8.4.5. Conclusion on Design and Impact on the Character of the Area: I consider that the proposed layout is acceptable, has full regard to the established character of the area but also provides for an area of active street frontage which is appropriate in this location.

8.5. Impact on Residential Amenity

- 8.5.1. Concern was raised about the impact of the development on existing residential amenity, with particular reference to traffic, noise, overlooking, overshadowing and nuisance. As I have reported, the applicant has revised the site layout and building design in response to the further information request issued by Louth County Council.
- 8.5.2. In terms of the houses on Knock Shee Avenue, there is a setback of approximately 57m between the proposed retail unit and the House no. 6. I consider this to be acceptable. Whilst the houses on Knock Shee Avenue are to the north/ north west

of the proposed buildings, the set back combined with the relatively low height of the retail unit at 6.7m will ensure that overshadowing leading to a loss of daylight/sunlight is not significant. Any very minor impact would only be to the front of these houses and would not impact on their private amenity space.

- 8.5.3. In terms of the house to the south of the site, a setback of approximately 22m is provided and through the location of this house, overshadowing will not be significant. The impact would be less than if a terrace of two storey houses was located on the subject site on the footprint of the proposed retail unit.
- 8.5.4. I do not foresee any negative impact from the proposed café on exiting residential units, considering its location on site and the fact that this unit is only a maximum of 4m in height.
- 8.5.5. In terms of noise and nuisance, the applicant has proposed that a 2.5m high acoustic barrier is provided to the east of the site in the corner of the site and where it adjoins the main structure of the retail unit and proposed M&E equipment. I am satisfied that the measures here will ensure that noise levels are kept to an acceptable level. In terms of the southern boundary of the site, there is a section of 2m high timber fence proposed that will also aid in the control of noise. The nearest house to the M&E plant is over 30m away and I am satisfied that any noise will be adequately controlled. In the interest of certainty, the 2.5m high acoustic barrier should extend to the east of the site to adjoin the plant.
- 8.5.6. Delivery trucks will also unload in the area adjacent to the M&E plant and I am satisfied that the acoustic screening is adequate here. In terms of nuisance, the site is zoned for this use, and it would be expected that access is from Knock Shee Avenue. The junction with the Golf Links Road was constructed to allow for a significant volume of traffic at this point. As part of the development, the junction is to be revised, and this will ensure that traffic calming is improved with vehicle accessing this area at a reduced speed than is currently possible in this location. Full details of noise are included in a Noise Impact Assessment dated December 2023.
- 8.5.7. I do not foresee any impact from light pollution due to the layout of the proposed development. Any site lighting would have targeted directional lighting and with the use of modern light sources such as LED, the potential for light pollution is significantly reduced from older sources of lighting. The site is located in an

established urban area with existing light sources of more significance than those proposed here.

- 8.5.8. Conclusion on Impact on Residential Amenity: The site zoning allows for the proposed use and the proposed retail unit is of a scale appropriate for this location. Adequate setbacks, acoustic screenings and other measures are incorporated into the design to ensure that the development can integrate with the existing residential amenity of the area.

8.6. Water Supply and Drainage

- 8.6.1. According to the Uisce Éireann Water Capacity Register, dated August 2025, there is 'Capacity Available – LoS improvement required' for the Dundalk area including this site. Comment was made in the appeal that the impact of the proposed café on water supply was not adequately considered by the applicant. Whilst clearly the café will require additional volumes of water, this is insignificant in the context of a large town such as Dundalk, and where it has been identified that water supply is available.
- 8.6.2. In terms of foul drainage, the Uisce Éireann Wastewater treatment capacity register, dated August 2025, indicates a 'Green' status with capacity available in the Dundalk WWTP but a 'Red' status for the Blackrock WWTP, though with an improvement plan planned/ underway. There is a programme underway to replace old pipes in the area. I note the Uisce Éireann report dated 22nd October 2024, and no issues of concern were raised in relation to wastewater connection. The Confirmation of Feasibility issued to the applicant advised that there is capacity in an adjacent 300mm diameter sewer.
- 8.6.3. The proposed development provides for a surface water drainage system and with full details included in support of the application in the 'Civil Engineering for Supermarket at Blackrock, Co. Louth' report. The site is located outside of Flood Zones A and B, and is therefore in Zone C. Site levels are between 12.5m and 13.5m AOD and there is no requirement for a site specific flood risk assessment.
- 8.6.4. Conclusion on Water Supply and Drainage: No significant issues of concern were raised by the Planning Authority and Uisce Éireann have reported that there is capacity in the water supply and foul drainage systems to serve this development without the need for significant upgrades. I am satisfied that adequate provision is

made for surface water drainage, and no issues of concern arise in relation to flood risk.

8.7. Access and Transportation

- 8.7.1. The issues of increased traffic, excessive car parking and the car dependency of the proposed development were raised in the appeals/ observation. The Planning Authority raised a number of issues through their further information request and the applicant responded in full to these.
- 8.7.2. Road Layout and Traffic: As I have already reported, the junction access to Knock Shee Avenue from the Old Gold Links Road is to be revised to reduce the width which in turn will reduce potential road speeds in this area. The narrowing of the entrance provides for a significant improvement for pedestrians wishing to cross at this entrance to Knock Shee Avenue. The proposed development includes upgrades to sections of the footpath in Knock Shee Avenue, and these are to be welcomed.
- 8.7.3. The applicant has provided a Traffic Impact Report in support of their application, and which was updated (August 2024) in response to the further information request. In summary, the impact of the development on the existing adjoining road network was assessed and whilst there is likely to be an increase in queue times at the R132 junction by 2040, this is due to background factors and options can be employed to mitigate any impacts such as revised traffic signalling equipment and modal shift changes. I am satisfied that the proposed development would not have any adverse impact on the local road network.
- 8.7.4. Car and Bicycle Parking: A total of 113 car parking spaces are provided on site. Table 13.11: 'Car Parking Standards' of the Louth County Development Plan 2021 – 2027 sets out a requirement for 1 parking space per 20sq m for Retail – Food Retail and the same provision for Restaurants, Cafes and takeaway. The proposed retail unit has a net floor area of 1495 sqm and which would generate a requirement for 75 car parking spaces. The café has a floor area of 141.8sqm but the seating area is indicated to be 89.5sq m and this would generate a requirement for 4 car parking spaces.
- 8.7.5. 12 of the car parking spaces are to be EV charging point fitted, 7 are for those with mobility issues and 8 are allocated for parent & child use. Section 13.16.9 of the Louth County Development Plan refers to 'Charing Points for Electric Vehicles' and

for all parking areas 'provision shall be made for charging points for electric vehicles. This shall include the necessary wiring and ducting. Pending the publication of guidance on the minimum requirement of these spaces, an assessment shall be made on a case-by case basis; however, applicants shall strive to provide these charging points in a minimum of 20% of the total spaces.' The proposed 12 spaces would provide for approximately 11% of the total spaces for EV charging, but the development plan does not require the 20% as an objective but more as a best case scenario. No material contravention issue arises here and the Planning Authority report that the provision is acceptable.

8.7.6. I am satisfied that adequate car parking is provided to serve this development. The proposed 20 bicycle parking spaces to serve this development are also acceptable.

8.7.7. Conclusion on Access and Transportation: I am satisfied that the proposed site layout and junctions layouts are acceptable, and no issues of concern arise. The proposed development provides for 113 car parking spaces and which is acceptable. The car parking layout makes provision for EV charging, accessible spaces and parent & child parking in addition to meeting the needs of cyclists.

8.8. Other Issues

8.8.1. Procedural Issues: A number of procedural issues were raised through the appeals, and I note these, however at no stage did the Planning Authority invalid this application. Adequate information is available on file to enable an assessment of the proposed development, and the issues raised in the appeals. By way of the further information response, some issues have been clarified by the applicant. Overall, the proposed development is adequately described, and full details can be found in the submitted application. It is not a requirement that all individual aspects of the development be described in the public notices, the public notices provide a general description of the development and full details are found in the submitted documentation, plans, drawings and other supporting details on file.

8.8.2. I therefore consider that the applicant has provided adequate information to enable a full assessment of this development.

8.8.3. Archaeology: Concern was expressed about the lack of consideration of potential archaeology in the area. An archaeological assessment was carried out in July 2022, and the DAU recommended that conditions be included having regard to the

rich archaeological potential of these lands. The Planning Authority included conditions in their grant of permission.

- 8.8.4. In response to the further information request an 'Archaeological Impact Assessment Report' dated July 2024, was submitted in support of the application. The applicant provides additional details in relation to archaeology in Section 4 of their appeal response and refers to a 'redundant record'. I note the report of the Planning Authority, and I consider it appropriate that a similar condition be included in relation to archaeology. Whether or not there is archaeology on site, due care should be taken in this regard and the employment of an archaeologist during ground works would ensure that no adverse impacts occur.
- 8.8.5. Relocation of this development: Suggestions were made in the appeals that the proposed development would be better located elsewhere. I have considered the location of the proposal and found it to be suitable for this development, with particular regard to the B2 zoning that allows for a retail unit and a café of this nature. The applicant has provided a detailed justification for this scheme and for this location and the Planning Authority did not oppose the development on this site.
- 8.8.6. Other comments: Reference was made to the lack of consultation with the local community on this development. The zoning of these lands has gone through the statutory process and which includes public consultation. The making of a planning application also allows for the public to comment on a development, which they have done in this case, and no additional statutory consultation is required.

9.0 AA Screening

9.1. Stage 1 Screening

- 9.1.1. 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 Dundalk Bay SAC and Dundalk Bay SPA 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 as amended of the proposed development is required.

9.2. Stage 2 Appropriate Assessment

9.2.1. In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on Dundalk Bay SAC and Dundalk Bay SPA 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 and taking into account submission from the third parties, I consider that adverse effects on site integrity of the Dundalk Bay SAC and Dundalk Bay SPA 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.

9.2.2. 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 Dundalk Bay SAC and Dundalk Bay SPA or prevent or delay the restoration of favourable conservation condition for Dundalk Bay SAC and Dundalk Bay SPA
- Effectiveness of mitigation measures proposed and adoption of CEMP.

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 Water Framework Directive

- 10.1. The subject site is located approximately 1.7 km to the east of Dundalk Bay, but there are no watercourses adjacent to the site, and the subject site overlies the Louth Ground Waterbody. The proposed development consists of the construction of an infill house to the rear of an existing house on the Howth Road, Sutton.
- 10.2. I have assessed the 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. I have undertaken a WFD Impact Assessment Stage 1: Screening and which is included in Appendix 1 after my report. This assessment considered the impact of the development on:

- Louth Groundwater Source

10.3. The impact from the development was considered in terms of the construction and operational phases. Through the nature of the development, and distance to the relevant waterbodies, all potential impacts can be screened out.

Conclusion

10.4. 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.

11.0 Recommendation

I recommend that planning permission should be granted, subject to conditions, as set out below, for the following reasons and considerations.

12.0 Reasons and Considerations

Having regard to the 'B2' - Neighbourhood Centre zoning of the Dundalk Local Area Plan 2024 – 2030, and with an objective, provided in the Louth County Development Plan 2021 - 2027, 'To provide for and improve local neighbourhood facilities', under which retail development is acceptable subject to compliance with the requirements of the plan for such a development. The zoning allows for a supermarket of up to 1,500sq m net floor area and also allows for the separate provision of a coffee shop of the nature proposed. The proposed layout and design of the structures on site are considered to be appropriate and will ensure that the character of the area is

protected. The proposed development will not result in a loss of vitality and/ or vibrancy in Dundalk town centre.

No adverse impacts to residential amenity is foreseen with specific consideration of overshadowing, overlooking, noise and general nuisance. No traffic, water supply/ drainage or environmental issues of concern arise as a result of the proposed development. The proposal will increase the range of retail and services in the Blackrock/ south Dundalk area of County Louth, in addition to creating for more employment opportunities in this developing area.

Therefore, subject to the conditions set out below the proposed development would be an appropriate form of development on this infill site, would align with the policies and objectives of the Louth County Development Plan and National Planning Guidance with specific reference to retail development, would not seriously injure the visual amenities of the area, by reasons of design, height and form, would not seriously injure the amenities of the adjoining residential property in the vicinity by reason of site works, overshadowing or overbearing, and would be acceptable in terms of traffic and pedestrian safety.

The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application to the local authority on the 19th day of January 2024, and revised through details submitted on the 25th of September 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 the

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 developer shall carry out the following:

- a) The proposed café and public plaza area shall be built in tandem with the retail unit, and the site shall be fully landscaped and the cafe in full operation prior to the opening of the retail store.
- b) The 2.5m high acoustic barrier shall extend to enclose the plant along the eastern boundary of the site.
- c) The entrance stone and associated plaque shall be protected and if required for movement shall be appropriately restored to their current location.

Reason: In the interests of public amenity and residential amenity.

3. The following to be complied with in full:

- (a) The proposed retail and cafe unit shall not operate outside the hours of 08.00 and 22.00 Monday to Saturday inclusive and 09.00 and 21.00 hours on Sundays.
- (b) All deliveries to the site during the operational phase shall be within the specified opening hours only.

Reason: In the interest of residential amenity.

4. Prior to commencement of development, details of the proposed boundary treatments to all shared site boundaries and full details of all site landscaping shall be submitted to and agreed in writing with the Planning Authority and shall comply with the requirements of the Planning Authority for such works.

Reason: In the interest of visual and residential amenity.

5. The mitigation and monitoring measures outlined in the plans and particulars, including the Natura Impact Statement submitted with this application shall be

carried out in full, except where otherwise required by conditions attached to this permission.

Reason: In the interest of protecting the environment and in the interest of public health.

6. That all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble, or other debris on adjoining roads during the course of the works.

Reason: To protect the amenities of the area.

7. All service cables associated with the proposed development, such as electrical, telecommunications shall be located underground.

Reason: In the interests of visual and residential amenity.

8. Details of the materials, colours, and textures of all the external finishes to the proposed buildings shall be as submitted with the application as revised, unless otherwise agreed in writing with, the Planning Authority prior to commencement of development. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of visual amenity.

9. The developer shall enter into water and wastewater connection agreement(s) with Uisce Éireann, prior to commencement of development.

Reason: In the interest of public health.

10. Details of the upgrade works to the public road network shall be submitted and agreed in writing with the Planning Authority prior to the commencement of development. These works include road realignment, revised road geometry,

footpath/ cycle path provision, crossing provision, and relevant new/ replacement signage and lining.

Reason: In the interest of proper road infrastructure provision.

11. (a) 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).

(b) Footpaths shall be dished at road junctions in accordance with the requirements of the Planning Authority. Details of all locations and materials to be used shall be submitted to and agreed in writing with the Planning Authority prior to the commencement of development.

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

12. Public 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 and shall take account of trees within the site area. Such lighting shall be provided prior to the making available for occupation of any residential unit.

Reason: In the interest of amenity and public safety.

13. The developer shall engage a suitably qualified licence eligible archaeologist (licensed under the National Monuments Acts) to carry out pre-development archaeological testing in areas of proposed ground disturbance and to submit an archaeological impact assessment report for the written agreement of the planning authority, following consultation with the National Monuments Service, in advance of any site preparation works or groundworks, including site investigation works/topsoil stripping/site clearance/dredging/underwater works and/or construction works. The report shall include an archaeological impact statement and mitigation strategy.

Where archaeological material is shown to be present, avoidance, preservation in-situ, preservation by record and/or monitoring may be required. Any further archaeological mitigation requirements specified by the Planning Authority, following consultation with the National Monuments Service, shall be complied with by the developer. No site preparation and/or construction works shall be carried out on site until the archaeologist's report has been submitted to and approval to proceed is agreed in writing with the Planning Authority. The Planning Authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work. All resulting and associated archaeological costs shall be borne by the developer.

Reason: To ensure the continued preservation of places, caves, sites, features or other objects of archaeological interest.

14. Prior to commencement of development, 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) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. 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 reducing waste and encouraging recycling.

15. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:

- a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;

- b) Location of areas for construction site offices and staff facilities;
- c) Details of site security fencing and hoardings;
- d) Details of on-site car parking facilities for site workers during the course of construction;
- e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
- f) Measures to obviate queuing of construction traffic on the adjoining road network;
- g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- j) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- k) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- l) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.
- m) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the Planning Authority.

Reason: In the interest of amenities, public health and safety.

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

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

17. The developer shall be fully compliant with the requirements of BS 5228 Part 1 1997 (Noise and Vibration control on construction and open sites).

Reason: In the interest of the proper planning and development of the area and in the interest of residential amenity.

18. Prior to commencement of development, the developer shall lodge with the Planning Authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the Planning Authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion of the development.

19. 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.

Paul O'Brien
Inspectorate

4th September 2025

Appendix 1: AA Screening Determination

Test for likely significant effects

Screening for Appropriate Assessment Test for likely significant effects	
Brief description of project	The provision of a retail unit with a gross floor area of 2,295sq m, a coffee shop of 141.84sq m, car parking, road access and all associated site works on a site area of 1.04 hectares. A full description is provided in Section 2.0 of the Inspectors Report.
Brief description of development site characteristics and potential impact mechanisms	The subject lands, which is a brownfield site, have a stated site area of 1.04 hectares and are located to the south of Dundalk, to the north east of Blackrock. Access to the site is situated on Knock Shee Avenue off Old Golf Links Road in Blackrock, Co. Louth and to the west of Dundalk Golf Club. The development will require site clearance, but the lands are generally flat and there are no structures on site at present. Boundary walls and fences to be removed in places. Ground consists of made ground/ some hard standing. There are no water courses on or adjoining the site. The area is served by public water supply and foul drainage. Potential Impact Mechanisms include: • Release of dust during construction phase. • Pollution of water courses during the construction and operational phase.
Screening report	Yes, by Altamar and dated August 2024.
Natura Impact Statement	Yes, by Altamar and dated August 2024.
Relevant submissions	None from prescribed bodies in relation to AA.

	Comments made by third parties in relation to the impact on Dundalk Bay/ water quality. Procedural issues raised as a revised NIS was submitted in support of the further information response.			
Step 2. 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.				
European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections	Consider further in screening Y/N
Dundalk Bay SAC (000455)	• Estuaries • Mudflats and sandflats not covered by seawater at low tide • Perennial vegetation of stony banks • Salicornia and other annuals colonising mud and sand • Atlantic salt meadows • Mediterranean salt meadows	1.5km	Yes - There is a direct hydrological pathway from the proposed development site to this SAC via the proposed surface water strategy. There is an indirect hydrological pathway to this SAC via foul wastewater drainage. Foul water from the development will be directed through the existing public foul network and processed at Blackrock WWTP prior to discharge into Dundalk Bay following treatment. Plant is within capacity	Y

			and no mitigation measures are required.	
Carlingford Mountain SAC (000453)	• Heaths • Grasslands • Blanket Bog • Fens • Rock Slopes (full details on NPWS site)	8.3km	No	N
Carlingford Shore SAC (002306)	• Annual vegetation of drift lines • Perennial vegetation of stony banks	14.9km	No	N
Dundalk Bay SPA (004026)	• Sea Birds • Gulls • Plovers • Wetland and Waterbirds (full details on NPWS site)	1.5km	Yes - There is a direct hydrological pathway from the proposed development site to this SPA via the proposed surface water strategy. There is an indirect hydrological pathway to this SPA via foul wastewater drainage. Foul water from the development will be directed through the existing public foul network and processed at Blackrock WWTP prior to discharge into Dundalk Bay following treatment. Plant is within capacity and no mitigation measures are required.	Y
Stabannan-Braganstown	• Greylag Goose	9.4km	No	N

SPA (004091)				
Step 3. Describe the likely effects of the project (if any, alone <u>or</u> in combination) on European Sites There is a hydrological connection to Dundalk Bay SAC and Dundalk Bay SPA, further consideration of these sites is required. The other three designated sites can be excluded from further consideration at this point due to the lack of any ecological/ hydrological connections with the subject site.				
AA Screening matrix				
Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*			
	Impacts	Effects		
Dundalk Bay SAC (000455)	Direct: Potential for silt and pollutants to enter Dundalk Bay SAC through the surface water drainage system Indirect: There is an indirect hydrological pathway to the SAC via foul drainage. This is routed from the site through the existing public drainage system and is processed at the Blackrock WWTP prior to discharge to Dundalk Bay. The plant is with capacity and no effects on the SAC are likely, in the absence of mitigation measures.	Potential damage to the habitats and qualifying interest species dependent on water quality, an impact of sufficient magnitude could undermine the sites conservation objectives.		
	Likelihood of significant effects from proposed development (alone): Y			
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? N			
	Impacts	Effects		
Dundalk Bay SPA (004026)	Direct: Potential for silt and pollutants to enter Dundalk Bay SPA through the surface water drainage system. Indirect: There is an indirect hydrological pathway to the SPA via foul drainage. This is routed from the site	Disturbance/displacement Disturbance during construction. A decline in water quality would undermine the conservation objectives set for water quality targets and to prey availability		

	through the existing public drainage system and is processed at the Blackrock WWTP prior to discharge to Dundalk Bay. The plant is with capacity and no effects on the SAC are likely, in the absence of mitigation measures.	
	Likelihood of significant effects from proposed development (alone): Y/N	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects?	
In the absence of appropriate mitigation measures, the objective to restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC and the SPA have been selected may be difficult to achieve.		
Step 4 Conclude if the proposed development could result in likely significant effects on a European site		
It is not possible to exclude the possibility that proposed development alone would result significant effects on Dundalk Bay SAC and Dundalk Bay SPA from effects associated with surface water drainage. An appropriate assessment is required on the basis of the possible effects of the project 'alone'. Further assessment in-combination with other plans and projects is not required at screening stage.		

Appendix 2: Appropriate Assessment

Screening for Appropriate Assessment Test for likely significant effects

The requirements of Article 6(3) as related to appropriate assessment of a project under part XAB, sections 177V 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 of a retail unit, coffee shop and associated works in view of the relevant conservation objectives of Dundalk Bay SAC and Dundalk Bay SPA based on scientific information provided by the applicant.

The information relied upon includes the Natura Impact Statement prepared by Altamar. 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 submitted 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.

Dundalk Bay SAC (000455)

Conservation Objectives

To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.

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

- (i) Water quality degradation (construction and operation)
- (ii) Disturbance of mobile species

Qualifying Interest features likely to be affected	Conservation Objectives	Potential adverse effects	Mitigation measures (summary)
--	-------------------------	---------------------------	-------------------------------

	Targets and attributes (summary-inserted)		
Estuaries [1130]	Maintain favourable conservation condition	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.	• Appointment of Ecologist to oversee enabling works and implementation of mitigation measures. • Staging of project. • Protection of water courses through silt traps and other measures.
Mudflats and sandflats not covered by seawater at low tide [1140]	Maintain favourable conservation condition	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.	• Control of stockpiles • Fuel and oil storage measures. Use of bunding as appropriate. • On site maintenance and checking of processes and drainage facilities.
Perennial vegetation of stony banks [1220]	Maintain favourable conservation condition	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.	• Control of dust. • Use of wheel washes. • Inspection of public roads adjoining the site. • Limit on vehicle speeds to 15kmh. • Log all dust/ air complaints, and log to be available to Local Authority if requested.
Salicornia and other annuals colonising mud and sand [1310]	Maintain favourable conservation condition	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.	• Measures in relation to monitoring on and adjoining the site. • Specific measures in relation to earthworks. • Storage/ use of materials, plant and equipment.
Atlantic salt meadows (Glauco-Puccinellietalia)	Maintain favourable conservation condition	No direct Impacts. Activities associated with construction phase may result in the release of silt /	Operation

maritima [1330]		sediment laden water run-off which could negatively impact on water quality.	- Standard hydrocarbon interception will be put in place. - A project ecologist will inspect completed drainage works to ensure petrochemical interception is in place.
Mediterranean salt meadows (Juncetalia maritimi) [1410]	Maintain favourable conservation condition	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.	Full details are provided in Table 11. Mitigation measures of the applicants NIS.

Dundalk Bay SPA (004026)

Conservation Objectives

To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SPA has been selected.

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

(i) **Water quality degradation (construction and operation)**

(ii) **Disturbance of mobile species**

Qualifying Interest features likely to be affected	Conservation Objectives Targets and attributes (summary-inserted)	Potential adverse effects	Mitigation measures (summary)
Great Crested Grebe (Podiceps cristatus) [A005]	Maintain favourable conservation condition	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 - Appointment of Ecologist to oversee enabling works and implementation of mitigation measures. - Staging of project. - Protection of water courses through silt traps and other measures.
Greylag Goose (Anser anser) [A043]	Maintain favourable conservation condition	No direct Impacts. Activities associated with construction phase may result in the release of silt /	- Control of stockpiles - Fuel and oil storage measures. Use of

		sediment laden water run-off which could negatively impact on water quality.	bunding as appropriate.
Light-bellied Brent Goose (Branta bernicla hrota) [A046]	Maintain favourable conservation condition	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.	• On site maintenance and checking of processes and drainage facilities. • Control of dust. • Use of wheel washes. • Inspection of public roads adjoining the site. • Limit on vehicle speeds to 15kmh. • Log all dust/ air complaints, and log to be available to Local Authority if requested. • Measures in relation to monitoring on and adjoining the site. • Specific measures in relation to earthworks. • Storage/ use of materials, plant and equipment.
Shelduck (Tadorna tadorna) [A048]	Maintain favourable conservation condition	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.	• Operation • Standard hydrocarbon interception will be put in place.
Teal (Anas crecca) [A052]	Maintain favourable conservation condition	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.	• A project ecologist will inspect completed drainage works to ensure petrochemical interception is in place.
Mallard (Anas platyrhynchos) [A053]	Maintain favourable conservation condition	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.	Full details are provided in Table 11. Mitigation measures of the applicants NIS.
Pintail (Anas acuta) [A054]	Maintain favourable	No direct Impacts. Activities associated with construction	

		conservation condition	phase may result in the release of silt / sediment laden water run-off which could negatively impact on water quality.	
Common (Melanitta [A065]	Scoter (nigra)	Maintain favourable conservation condition	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.	
Red-breasted Merganser (Mergus serrator) [A069]		Maintain favourable conservation condition	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.	
Oystercatcher (Haematopus ostralegus) [A130]		Maintain favourable conservation condition	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.	
Ringed Plover (Charadrius hiaticula) [A137]		Maintain favourable conservation condition	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.	

Golden Plover (Pluvialis apricaria) [A140]	Maintain favourable conservation condition	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.	
Grey Plover (Pluvialis squatarola) [A141]	Maintain favourable conservation condition	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.	
Lapwing (Vanellus vanellus) [A142]	Maintain favourable conservation condition	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.	
Knot (Calidris canutus) [A143]	Maintain favourable conservation condition	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.	
Dunlin (Calidris alpina) [A149]	Maintain favourable conservation condition	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.	
Black-tailed Godwit (<i>Limosa limosa</i>) [A156]	Maintain favourable conservation condition	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.	
Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]	Maintain favourable conservation condition	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.	
Curlew (<i>Numenius arquata</i>) [A160]	Maintain favourable conservation condition	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.	
Redshank (<i>Tringa totanus</i>) [A162]	Maintain favourable conservation condition	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.	
Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]	Maintain favourable conservation condition	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.	
Common Gull (Larus canus) [A182]	Maintain favourable conservation condition	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.	
Herring Gull (Larus argentatus) [A184]	Maintain favourable conservation condition	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.	
Wetlands & Waterbirds [A999]	Maintain favourable conservation condition	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.	

The above table is based on the documentation and information provided on the file and satisfied that the submitted NIS has identified the relevant attributes and targets of the Qual Interests.

Assessment of issues that could give rise to adverse effects view of conservation objectives

Surface Water - Construction Phase:

Activities associated with construction phase may result in the release of silt/ sediment laden water run-off. 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. An Ecologist will be employed to oversee works on 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 (1.5km as the crow flies), and dilution factor separating the appeal site from the designed site that the impact on the qualifying interests of Dundalk Bay SAC and Dundalk Bay SPA would not be significant.

Surface Water - Construction Phase:

Standard hydrocarbon interception will be put in place to ensure that watercourses are protected. An Ecologist will be employed to oversee works on site including the completed surface water drainage works and to ensure that the hydrocarbon interception is correctly in place.

Ex-Situ Habitat:

There is no spatial overlap with between the appeal site and Dundalk Bay SAC and SPA. No preventative mitigation measures are required.

In-combination effects

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. Full details of considered in-combination effects are provided in Table 4 of the applicant's Appropriate Assessment Screening & Natura Impact Statement.

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. I am satisfied that the mitigation measures proposed to prevent adverse effects have been assessed as effective and can be implemented.

Reasonable scientific doubt

I am satisfied that no reasonable scientific doubt remains as to the absence of adverse effects.

Site Integrity

The proposed development will not affect the attainment of the Conservation objectives of the Dundalk Bay SAC and Dundalk Bay SPA. 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 Dundalk Bay SAC and Dundalk Bay SPA 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 Dundalk Bay SAC and Dundalk Bay SPA 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 Dundalk Bay SAC and Dundalk Bay SPA or prevent or delay the restoration of favourable conservation condition for Dundalk Bay SAC and Dundalk Bay SPA
- Effectiveness of mitigation measures proposed and adoption of CEMP.

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.

Appendix 3 - Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	ABP-321426-24		
Proposed Development Summary	Construction of supermarket with off-licence, coffee shop along with all associated site works. NIS included.		
Development Address	Knock Shee Avenue, Blackrock, Dundalk, Co. Louth		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)	Yes		
			√
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
No	√	No, it is not a class specified in Part 1.	Proceed to Q.3.
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
No	√		Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	√	Class 10(b)(iv) of Part 2 of Schedule 5 relates to a mandatory EIA for urban development involving: - 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. - As the proposal is for a 2,265sq m retail unit and a café of 141.8sq m on a 1.04 hectare site, it would be substantially less than the thresholds set out in Part 2 of Schedule 5 and would not fall under Class 10(b)(iv) in respect to urban development.	

5. Has Schedule 7A information been submitted?		
No	√	Preliminary Examination Required
Yes		

Inspector: _____

Date: _____

Appendix 4

Form 2 - EIA Screening Determination

Case Reference	
Proposed Development Summary	Construction of supermarket with off-licence, coffee shop, along with all associated site works. NIS included.
Development Address	Knock Shee Avenue, Blackrock, Dundalk, 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 provision of a retail unit with a gross floor area of 2,295sq m, a coffee shop of 141.84sq m, car parking, road access and all associated site works on a site area of 1.04 hectares. No demolition works are proposed, site clearance will take place, materials to be used will be standard for a development of this nature and nuisance will only occur during the construction phase for short periods of time over a temporary period. No risks to human health in terms of accidents and disasters subject to full implementation of Construction Management Plan and Health and Safety requirements on site during the construction phase.
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	The subject lands are a brownfield site located within an established urban area. The site is not within or immediately adjacent to a European site. There are no known restrictions on this site. Full regard is had to archaeology and no issues of concern were raised through the submitted

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).	Archaeological Impact Assessment provided in support of this application.
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).	Construction phase impacts include noise, traffic and some nuisance. Will be for a temporary period of time. Operational phase impacts include noise and traffic impacts. Will be as expected in an urban area with an existing dense road network adjacent to the subject site. Completed development will benefit the area through additional retail, local facilities and coffee shop in place of a vacant and poor quality site within an established urban area.
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.

Inspector: _____ Date: _____

Appendix 5: WFD IMPACT ASSESSMENT STAGE 1: SCREENING

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

An Bord Pleanála ref. no.	ABP-321426-24	Townland, address	Knock Shee Avenue, Blackrock, Dundalk, Co. Louth
Description of project		The provision of a retail unit with a gross floor area of 2,295sq m, a coffee shop of 141.84sq m, car parking, road access and all associated site works on a site area of 1.04 hectares.	
Brief site description, relevant to WFD Screening,		The site is located in an urban location. The subject site area is 1.04 hectares. There are no watercourses on or adjacent to the site.	
Proposed surface water details		Surface water to be disposed on site/ into the public surface water drainage system.	
Proposed water supply source & available capacity		Public supply.	
Proposed wastewater treatment system & available capacity, other issues		Public supply.	

Others?			N/A			
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	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)
e.g. lake, river, transitional and coastal waters, groundwater body, artificial (e.g. canal) or heavily modified body.	Underlying site	Louth (IEGBNI_NB_G_019)	Good	Not at Risk	N/A	Discharge to Groundwater
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	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Site clearance & Construction	Louth (IEGBNI_NB_G_019)	Indirect impact via Potential hydrological pathway	Water Pollution Surface water run-off	Disposal on site through a SuDS designed system and also final disposal into the public surface water drainage system.	No	Screen out at this stage.
OPERATIONAL PHASE							

2.	Surface Water Run-off	Louth (IEGBNI_NB_G_019)	Indirect impact via Potential hydrological pathway	Water Pollution	Disposal on site through a SuDS designed system and also final disposal into the public surface water drainage system.	No	Screen out at this stage.
DECOMMISSIONING PHASE							
	N/A	N/A	N/A	N/A	N/A	N/A	N/A