



An
Coimisiún
Pleanála

Inspector's Report

ACP-322977-25

Development

Demolition of building, construction of 2-storey retail store with off-license with all associated site works. NIS was submitted with application.

Location

c. 0.53ha Site known as Jack Murphy House, Harry Reynolds Road, Stephenstown, Balbriggan, Co. Dublin, K32Y280.

Planning Authority

Fingal County Council

Planning Authority Reg. Ref.

F24A/1069E

Applicant(s)

Aldi Stores (Ireland) Limited

Type of Application

Permission

Planning Authority Decision

Grant

Type of Appeal

Third Party

Appellant(s)

KT Designs

Observer(s)

RGDATA

Date of Site Inspection

8th October 2025

Inspector

Emma Gosnell

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1.0 Site Location and Description

- 1.1. The appeal site is located in the townland of Stephenstown in the southern environs of Balbriggan, Co. Dublin.
- 1.2. The site is located to the immediate south of the Harry Reynolds Road, to the east of the Inner Relief Road and to the west of the Outer Relief Road. The Church roundabout and Balbriggan town centre are located to the north-east. The immediate area is predominantly in commercial and light industrial use with the Stephenstown Industrial Estate and Fingal Bay Industrial Park being located to the west and the Balbriggan Business Campus and Mill Pond Park recreational area and being located to its north. Undeveloped greenfield lands lie to the site's east and south-east.
- 1.3. The site features a vacant 2-storey commercial building (c. 1,070sq.m) with ancillary car parking and loading bay. The remainder of the 0.53ha site is overgrown with vegetation and there is a watercourse on its eastern side (Bracken River). The site is currently accessed to the west off Harry Reynolds Road (which has a speed limit of 50km/hr).

2.0 Proposed Development

- 2.1. The proposed development comprises of:
 - (i) the demolition of existing 2 no. storey building on site (c. 1,070 sqm).
 - (ii) the construction of a 2 no. storey discount retail store with off-licence use (c. 2,448 sqm gross floor area) and c. 1,356 sqm net retail floor area (at first floor level), including ESB substation and loading bay, car parking (70 spaces, undercroft and surface level) with vehicular and pedestrian access (via existing access) from Harry Reynolds Road (also known as the Inner Relief Road) to the west. All associated works to facilitate the development including landscaping, lighting, boundary treatments, internally illuminated signage (c. 20.44sqm at north, west, south-west and east elevations of the building), c. 10.22 sqm double sided pole sign 6 metres in height at vehicle entrance, 1 no. vinyl wall sign at western elevation (c. 1sqm) external plant, 836 sqm of PV panels at roof level and 32 no. cycle parking spaces.

(iii) The application is accompanied by a Natura Impact Statement.

2.2. Further Information (FI) stage changes concerned site parking, servicing, access and mobility arrangements together with changes to the fenestration arrangements and materiality of the store's north elevation.

3.0 Planning Authority Decision

3.1. Decision

Permission granted on 11/06/2025 subject to 20 no. conditions (see Section 3.4).

3.2. Planning Authority Reports

3.2.1. Planning Reports

2 no. planning reports formed the basis of the planning authority's (PA) assessment:

Planner's Report (30/01/2024) – Initial Application Stage

Key points of note raised in the report are as follows:

- *Principle of Development* – compliant with 'MC - Major Town Centre' zoning, Fingal Retail Strategy and Retail Planning Guidelines for Planning Authorities (2012).
- *Design* – scale, layout and materiality acceptable/ complies with Objective DMSO5.
- *Signage* – quantum of signage is excessive and will be reduced by condition.
- *Residential Amenity* – will not give rise to overlooking or loss of daylight.
- *Visual Amenity* – additional photomontage views from north required. Inactive northern elevation requires redesign. **This matter formed part of FI request.**
- *Bike Parking* – provision not compliant with FDP long/ short-stay and cargo bike standards. **This matter formed part of FI request.**
- *Car Parking* – provision of 70 no. spaces compliant with FDP standards but no electrical vehicle (EV) parking proposed (10% required to be EV spaces). **This matter formed part of FI request.**
- *Motorcycle Parking* – none proposed. 1 no. space per 10 no. car parking spaces required. **This matter formed part of FI request.**

- *Access* – proposed sightlines are not compliant with DMURS (need to be viewed to nearside edge of road). **This matter formed part of FI request.**
- *Cycle and Pedestrian Access* – no footpath or cycle track connectivity between proposed access and road/ Part 8 proposals to north of site. **This matter formed part of FI request.**
- *Swept Path Analysis* – delivery truck access/ egress arrangements satisfactory. More detail needed on bin store access. **This matter formed part of FI request.**
- *Road Safety Audit* – none submitted. Stage 1 Audit required. **This matter formed part of FI request.**
- *Traffic Impact Assessment* – finds that local junctions have capacity to accommodate traffic generated by proposal. PA's Transport Section accept same.
- *Drainage and Services* – Uisce Eireann and PA's Water Services Division raise no objections subject to conditions (re: drainage arrangements and SuDS measures).
- *Landscaping/ Trees* - PA's Parks and Green Infrastructure Division seek retention of boundary trees and hedgerows etc. in line with Objectives DMSO125-O126. Tree and knotweed management proposals are acceptable and will be conditioned.
- *Waste* – PA's Environment Section (Waste Enforcement and Regulation) raise no objections subject to conditions relating to provision of a C&DRWMP, OWMP and demolition asbestos survey.
- *Air and Noise* - PA's Air and Noise Unit note Noise Impact Assessment required in respect of rooftop heat pump/ loading etc. **This matter formed part of FI request.**
- *Public Lighting* – required to comply with FCC Public Lighting Specification, Taking in Charge requirements and Forest of Fingal policy. Can be conditioned.
- *Public Art* – not provided as per Objective DMSO194. Can be conditioned.
- *Appropriate Assessment* – no significant effects on European sites likely.
- *EIA Screening* – determined EIA not required.

A request for Further Information (FI) issued on 30/01/2025 in relation to 5 no. items.

The applicant's response to the FI request was received on 17/04/2025 and consisted of revised plans and technical reports. The response was not found to be significant.

Planner's Report (11/06/2025) – Further Information Stage

This report provided an assessment of the FI received as follows:

- *Item 1* – revised bike, electric vehicle and motorcycle parking, sightline proposals and Road Safety Audit acceptable on basis of their compliance with FDP. Roadside cycle track and footpath proposals also acceptable and will be conditioned (details be agreed with PA prior to construction).
- *Item 2* – findings of noise impact assessment (no noise impact) acceptable to PA.
- *Item 3* – revised northern elevation proposals are acceptable to PA.
- *Item 4* – additional views from north are acceptable to PA as are proposals for additional tree planting to north elevation of the store.
- *Item 5* – proposed location of bin store adjacent to loading bay is acceptable as is access to same by refuse trucks.
- *Appropriate Assessment and EIA Screening* – determinations remain as above.

Permission was granted for the full proposal subject to conditions (as per Section 3.1).

3.2.2. Other Technical Reports

Initial Application Stage

Transportation Planning Section (24/01/2025) - FI requested in relation to under provision of bike, cargo, motorcycle and EV parking; technical issues with proposed sightlines; need for completion of Stage 1 Road Safety Audit; evidence of legal consent for access works on 3rd party property; and, works to integrate with footpath/ cycle track.

Water Services Department (13/01/2025) – no objection subject to conditions.

Environment Section (Waste Enforcement & Regulation) (13/01/2025) - FI requested requiring preparation of C&DRWMP, OWMP and Asbestos Survey.

Architects Department (10/01/2025) - FI requested requiring additional verified views of proposal from west and south, design improvements to northern building façade and reduction in quantum of type 2 wall signs proposed.

Air and Noise (08/01/2025) – FI requested requiring preparation of Noise Impact Assessment.

Parks and Green Infrastructure (03/01/2025) - no objection subject to conditions.

Public Lighting (02/01/2025) - no objection subject to conditions.

Further Information Stage

Transportation Planning Section (29/05/2025) - no objection subject to conditions.

Air and Noise (28/05/2025) – no objection subject to conditions.

3.3. **Prescribed Bodies**

Initial Application Stage

Uisce Eireann (UE) (12/12/2024) – notes applicant has engaged with UE and that confirmation of feasibility (CoF) determines that water and wastewater connections are feasible without upgrades. Also notes UE assets are present on site and that the developer must demonstrate that proposed structures and works will not inhibit access to or otherwise interfere with same. Seeks the attachment of standard UE conditions.

Further Information Stage

No submissions received.

3.4. **Conditions**

Conditions of note attached to the PA's grant of permission:

- Condition 2 – entire premises to be used as single retail unit.
- Condition 4 – submission of a Construction Environmental Management Plan.
- Condition 5 – management of noise emissions.
- Condition 6 – liaison with Uisce Eireann re: assets on site and service connection.
- Condition 7 – submission of demolition, construction and operational waste management plans and asbestos survey.
- Condition 9 – detail of site access and works to PA's cycle track and footpath.
- Condition 10 – implementation of tree survey and bond lodgement.
- Condition 11 – management of knotweed.
- Condition 12 – revised landscaped plan with additional planting required.
- Condition 13 – provision of piece of public art or sculpture required.
- Conditions 14 & 15 – quantum permitted signage restricted/ design of roller shutter.
- Condition 16 – restriction on hours of trading.

In the event the Commission are minded to grant permission, I recommend the attachment of conditions to this effect.

3.5. **Third Party Observations**

Initial Application Stage

2 no. submissions received (from RGDATA and Kevin Tolan of KT Designs) at PA stage raised the following issues:

Traffic/ Parking

- Local traffic congestion.
- Traffic Impact Assessment (TIA) did not include assessment of Church roundabout.
- Inadequate car parking.

Retail Policy

- Does not form part of town centre/ retail core and will undermine same.
- Contravention of Objectives EEO89 and EEO94.
- Oversaturation of retail uses in locality.
- Inadequate Retail Impact Assessment.
- Non-compliance with Retail Guidelines (2012).

Urban Design

- Lack of street level animation.

Procedural

- Address not accurate.

Further Information Stage

No submissions received.

4.0 **Planning History**

4.1. **Site**

P.A. Ref. F98A/0087 – Application for factory and ancillary offices, granted on 12/05/1998 subject to conditions.

4.2. **Adjoining Sites**

P.A. Ref. PARTXI/001/20 – Part 8 consent for a PA scheme to improve pedestrian and cyclist facilities in the vicinity of Harry Reynolds Road and Hamilton Road [incl. lands to immediate north of the appeal site] granted on 09/11/2023.

ABP-313210-22 – SHD application for 10 year planning permission for construction of 817 no. residential units (377 no. houses, 440 no. apartments), childcare facilities and associated site works at Castlelands, Balbriggan [opposite end of Hamilton Road c.600m to south-east], granted permission on 16/03/2023 subject to 30 no. conditions.

5.0 Policy Context

5.1. National Policy and Guidance

Project Ireland 2040 – National Planning Framework (2025).

Climate Action Plan (2024 & 2025).

National Biodiversity Action Plan (NBAP) 2023-2030.

Retail Planning Guidelines for Planning Authorities (2012).

Retail Design Manual (2012) – Design Quality & Public Realm.

5.2. Other National Guidance

Design Manual for Urban Roads and Streets ('DMURS' DoHLGH, 2019).

Road Safety Audit GE-STY-01024 ('RSA Standards' TII, 2017).

Traffic and Transport Assessment Guidelines (TII, 2014).

5.3. Regional Policy

Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy 2019-2031 (RSES):

- RPO 6.11: Future provisions of significant retail development within the Region shall be consistent with the Retail Planning Guidelines for Planning Authorities 2012, or any subsequent update, and the retail hierarchy for the Region, expressed in the RSES, until such time as this hierarchy is updated.
- Balbriggan is Level 3 in Regional Retail Hierarchy.

5.4. Development Plan

The Fingal County Development Plan 2023-2029 (FDP) applies:

Balbriggan

Balbriggan is identified in the FDP Settlement Hierarchy/ Strategy as a 'Self-Sustaining Town' and as a Level 3 Centre in the Fingal Retail Hierarchy (Table 7.2).

Zoning

'MC – Major Town Centre' with objective to 'Protect, provide for and/or improve major town centre facilities'.

The vision for MC lands is to 'Consolidate... further develop these centres by densification of appropriate commercial and residential developments ensuring a mix of commercial, recreational, civic, cultural, leisure, residential uses, and urban streets, while delivering a quality urban environment... strengthen retail provision in accordance with the County Retail Strategy...ensure priority for public transport, pedestrians and cyclists while minimising the impact of private car-based traffic and enhance and develop the existing urban fabric'.

Retail - supermarket < 2,500 sq.m NFA is permitted in principle on MC zoned lands.

Retail

Section 7.5.5 (Retail Hierarchy). Balbriggan is a Level 3: Major Town Centre – allows for 'Supermarket' retail formats (as per Table 7.2: Fingal Retail Hierarchy).

Policy EEP32 – Retail: support and reinforce Retail Strategy.

Objective EEO89 – Fingal Retail Hierarchy: Require that new significant retail development be primarily directed to the higher Levels in the Fingal Retail Hierarchy and specifically to the core retail areas identified for these centres. Only in exceptional circumstances (where the Planning Authority is satisfied that there are no sites or potential sites available either within the core retail area or on-the-edge of the core, and that the proposed retail development is necessary to serve the needs of the area) will proposed retail developments that are located outside of these centres and/ or the core retail areas of these centres be positively considered.

Objective EEO90 – New Retail Development: Ensure that applications for new retail development are consistent with the retail policies of the Development Plan, in particular with the Fingal Retail Hierarchy, and are assessed in accordance with the requirements of the Guidelines for Planning Authorities: Retail Planning, including, where appropriate, the application of the Sequential Approach, and requirements for retail impact assessments and transport impact assessments for retail developments which due to their scale and/ or location may impact on the vitality and viability of major town, town, local and village centres, while having regard to the impact such directions/ developments may have on the existing businesses operating within the area.

Objective EEO93 – Level 3 Centres: Ensure the development of Balbriggan, Malahide, Skerries and Charlestown, as sustainable, vibrant and prosperous Town Centres performing at a high retail level within the Fingal Retail Hierarchy to meet the retailing needs of and offer sufficient retail choice to their local populations and catchment populations.

Objective EEO94 – Retail Offer: Facilitate appropriately scaled improvements to the quantum and quality of retail offer and function in Balbriggan, Malahide, Skerries and Charlestown and ensure their sustainable development by consolidating, intensifying and enhancing their existing core retail areas, and by directing new retail opportunities into the core retail areas identified for each.

Objective EEO95 – Ensure Sufficient Retail Offer in Level 3 Town Centres: Ensure that the Level 3 Town Centres have a retail offer that is sufficient in terms of scale, type, and range without adversely impacting on or diverting trade from the higher order retailing locations.

Objective DMSO95 – Retail Impact Assessment.

Section 14.4.5 and Objective DMSO8 – DMSO12 – Shopfront Design

Objectives DMSO12, DMSO14 and DMSO15 – Signage/ Advertising Structures.

DMSO194 (Public Art)

Appendix 7 – Technical Guidance: Retail – Supermarket ≤ 2500 sqm nfa - Supermarkets have the same meaning as identified in the Retail Planning Guidelines as being, “.... stores selling mainly food, with a net sales area less than 2,500 sqm”. Supermarkets in this land use class include discount foodstores which are described in the Retail Planning Guidelines as being normally up to 1,500sq m gross. Discount foodstores are recognised as offering an alternative retail offer to the traditional supermarkets extending the existing choice and range of retailing facilities.

Urban Development/ Compact Growth/ Balbriggan

Policy CSP34 – Consolidate Growth of Self-Sustaining Towns.

Policy CSP36 – Focus Growth Within and Contiguous to Core in Self-Sustaining Towns.

Objective CSO51 – Support Growth of Self-Sustaining Towns.

Objectives CSO55 – Development and Growth of Balbriggan and Skerries and CSO56 - ‘Our Balbriggan’.

Other

Objective DMSO126 – Protection of Trees and Hedgerows during Development.

Objective DMSO241 – Construction and Demolition Waste Management Plan.

Section 14.13.3.2 (Playground Facilities).

Objective DMSO52 (Public Open Space Provision).

6.0 Natural Heritage Designations

The appeal site is not located within or adjoining any designated site.

The nearest European Sites in close proximity to the appeal site are as follows:

- c. 1km from North-West Irish Sea SPA (Site Code 004236).
- c. 6km from Skerries Islands SPA (Site Code 004122).
- c. 9km from Rockabill SPA (Site Code 004014).
- c. 8km from Rockabill to Dalkey Island SAC (Site Code 003000).

The nearest Natural Heritage Areas in close proximity to the appeal site are as follows:

- c. 2km from Knock Lake pNHA (Site Code 001203).
- c. 3.5km from Bog Of The Ring pNHA (Site Code 001204).
- c. 6.5km from Skerries Islands NHA (Site Code 001218)
- c. 8km from Loughshinny Coast pNHA (Site Code 002000)
- c. 12km from Rockabill Island pNHA (Site Code 000207).

7.0 EIA Screening

An EIA screening report for sub-threshold development was submitted as part of the application. This report determined that the proposed development would not give rise to significant environmental effects.

Having regard to the criteria set out in Schedule 7 of the Planning and Development Regulations (2001) as amended, there is no real likelihood of significant effects on the environment based on the characteristics and location of the proposed development and types and characteristics of potential impacts. No EIAR is required. Refer to Form 1 (EIA Pre-Screening), Form 2 (EIA Preliminary Examination) and Form 3 (EIA Screening Determination) in Appendix 1 for further details.

8.0 Water Framework Directive Screening

I have concluded, 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 (refer to forms in Appendix 3 for details).

9.0 The Appeal

9.1. Grounds of Appeal

A third party appeal was received on 08/07/2025 from Kevin Tolan of KT Designs. The grounds of appeal (GOA) raised the following issues:

- *Traffic* –
 - TIA undertaken for proposal is inadequate/ not compliant with NRA Guidelines.
 - TIA did not include assessment of impact on congested Church Roundabout.
 - Significant ongoing (school/ commuter) traffic congestion on adjacent roads.
 - Prematurity/ cumulative traffic impact (re: ABP-313210-22) not addressed.
- *Urban Design* -
 - Design of retail at first floor level creates inactive frontage at ground level etc. and design changes made at FI stage do not address same.

9.2. Applicant Response

The applicant, in their response (received 05/08/2025) to the GOA, states the following:

- *Location* – complies with TC zoning, Retail Strategy, Retail Planning Guidelines.
- *TIA* –
 - Scope, content and methodology of TIA is valid, based on Transport Infrastructure Ireland Guidelines and was agreed with PA's Transportation Division.
 - TIA determined proposal would not give rise to congestion on local road network.
 - Unlikely food-related shopping trips will take place during AM/PM peak traffic.
 - Food retail trips are linked to diversions on work to home/ home to school trips rather than being standalone 'trip attractors' which lead to additional congestion.
 - Cumulative impact – TIA undertaken for Castlelands SHD concludes that the Church roundabout operates within capacity & will continue to do so post opening (to 2044).
 - Existing traffic and traffic generated by Castlelands and Aldi proposal can be readily accommodated within the existing local road network without requiring any mitigation or upgrades etc. or prejudicing PA's Active Travel proposals.
 - Proposed access/ internal circulatory arrangements are DMURS compliant and applicant willing to adhere to recommendations of Road Safety Audit by condition.
- *Street Elevation* –

- Design of building responds to significant variation in adjoining street levels and to site specific topography which does not allow for a common ground plane or the creation of a 'streetscape' in the traditional sense.
- Vertical arrangement of land uses is direct response to site's challenging topography and site context/ environmental constraints and, for these reasons, lowering retail floor plate or providing basement parking not viable design options.
- Store's elevations are designed to create visual interest without being overly visually dominant or overbearing.
- High quality materials, finishes and planting are utilised throughout.
- South elevation (most visible frontage) provides extensive glazing/ feature corner.
- Design of west elevation of store delivers active shop frontage.
- PA FI request did not arise due to concerns re: pedestrian experience.
- FI design changes to the north elevation, which introduced additional high-level fenestration and revised material finishes, were accepted by PA.
- Proposed boundary planting and levels will mitigate visibility of surface car parking.

The first party response to the GOA is accompanied by ACP's notification of the third party appeal (dated 09/07/2025); copy of PA's notification of decision (dated 11/06/2025); copy of PA Chief Executive's Report (dated 11/06/2025); Architectural response to GOA (dated July 2025); and, Traffic and Transport Planning Consultant's response to GOA (dated July 2025).

9.3. **Planning Authority Response**

The PA, in their response received 17/07/2025, state that they have no further comment to make and seek that their decision to grant permission be upheld. In the event that their decision is overturned they seek that, where relevant, the Commission attach conditions in respect to a S. 48 development contribution in lieu of open space or play facilities and in respect to a tree bond/ cash security.

9.4. **Observations**

1 no. observation received from RGDATA (on 05/08/2025) raised the following issues:

- *Procedural* – incorrect address details provided.
- *Location* – site not part of town centre or retail core, re: EEO89/ EEO94 compliance.
- *Retail Impact* – potential negative impact on existing retail core/ businesses due to market oversaturation. Retail Strategy's Health Check Indicators unaddressed.

- *Traffic* – TIA submitted fails to address impact on (congested) Church Roundabout and cumulative impact with Castlelands residential scheme (817 no. units) given prematurity to planned road infrastructure upgrades.
- *Urban Design* – street level parking creates poor streetscape, not addressed by FI.

9.5. Further Responses

None received.

10.0 Assessment

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

- Principle of Development
- Retail Impact
- Traffic Impact
- Design
- Other

10.1. Principle of Development

10.1.1. The proposal is located on lands zoned 'MC' Major Town Centre, where retail developments of the nature and scale proposed (i.e. Retail – Supermarket ≤ 2500 sqm nfa as defined in Appendix 7 of the FDP) are permitted in principle, and it delivers on the vision for MC lands which is, inter alia, to densify via appropriate commercial development and strengthen retail provision in accordance with County Retail Strategy. This strategy identifies Balbriggan as a Level 3 – Major Town Centre with supermarkets being an appropriate retail format in such centres. Therefore, in conclusion having regard to the nature and scale of development proposed and to the land use zoning of the appeal site, I consider the proposal to be acceptable in principle.

10.2. Retail Impact

- 10.2.1. Objective EEO90 (New Retail Development) requires applications for new retail development to be consistent with the retail policies of the Development Plan (in particular with the Fingal Retail Hierarchy) and to be assessed in accordance with the requirements of the Retail Planning Guidelines in order to determine how their scale and/ or location may impact on the vitality and viability of the town centre and on the existing businesses operating within the area.
- 10.2.2. Objectives EEO89 (Fingal Retail Hierarchy) and EEO94 (Retail Offer and Function in Level 3 Centres) seek to direct new retail opportunities into core retail areas in the first instance in line with the order of priority for town centre retail developments outlined in the Retail Planning Guidelines (2012). Whilst the appeal site is zoned 'MC – Major Town Centre' I note that it does not form part of Balbriggan's Core Retail Area, as identified in FDP Section 7.5.5 (Retail Hierarchy).
- 10.2.3. Notwithstanding, whilst Objective EEO94 seeks to direct new retail development into existing core retail areas in Level 3 Centres, such as Balbriggan, I note that Objective EEO89 makes provision for exceptional circumstances in which retail developments located outside of the core retail area of these centres will be positively considered i.e. where the PA are satisfied that there are no sites or potential sites available either within the core retail area or on-the-edge of the core and also where the proposed retail development is necessary to serve the needs of the area. In this regard I note that the PA did not raise an issue with the location of the proposal outside of the town's designated core retail area on account of the site being within the development boundary of Balbriggan, its proximity to the train station, its MC zoning and, on the basis of the submitted Retail Impact Statement (RIS) which they were satisfied complied with the 2012 Guidelines.
- 10.2.4. A Retail Impact Assessment (RIA) was undertaken (as per the submitted RIS) in respect to the proposal and notes the following:
- Balbriggan town has a number of small scale ethnic food stores, corner shops, newsagents, service stations, butchers and comparison retail stores together with a number of medium scale supermarkets including a Supervalu, Lidl and Centra in the town centre, with larger-scale supermarkets at Tesco Extra in the Millfield Shopping

Centre and a Dunnes Stores at the Castle Mill Shopping Centre outside of the town centre area.

- Although Balbriggan has a strong overall retail offer (with customer choice & competition), residents are required to travel to other towns such as Swords and Drogheda to avail of a wider convenience retail offering.
- Aldi's limited range only meets a proportion of a customer's convenience needs and therefore would complement the existing retail mix/ provision in Balbriggan.
- The available surplus for additional convenience floorspace is high and demonstrates the need to enhance the scale and quality of convenience retail floorspace within the area.
- The total turnover of the ALDI in 2028 is estimated at circa €13.6 million. That is against circa €136 million of Total Available Expenditure on convenience goods in 2028 of Balbriggan.

10.2.5. I accept that the RIA submitted follows the methodology set out in Annex 5 of the Retail Planning Guidelines, 2012, specifically the RIA identifies the catchment, available expenditure within the catchment, estimates the turnover of existing centres within the catchment, estimates the turnover of the new development, and estimates the quantum of consumer retail spending available within the catchment which will be diverted from existing centres to the new retail development.

10.2.6. The observer has raised a concern over the RIA as submitted with a specific reference to its alleged failure to address the retail strategy's health check indicators and the proposal's location and potential negative impact on existing retail core and businesses due to market oversaturation. I have considered each of these issues below.

Sequential Approach

10.2.7. The RIA considers the site constitutes a "Town Centre" location given its 'MC – Major Town Centre' zoning objective and it quotes the sequential approach guidance contained within Section 4.4.2 of the Retail Planning Guidelines in order to illustrate this point. This guidance provides that the order of priority for the sequential approach is to locate retail development in the city/town centre (i.e. Balbriggan) in the first instance.

10.2.8. The supporting sequential test provided in Appendix 1 of the RIS assesses 4 no. alternative opportunity sites (i.e. with potential for future retail development) elsewhere in Balbriggan town centre (Dublin St., Bridge St. and High St.) with the same 'TC' zoning

and determines that these are not sequentially preferable in terms of their relative size, site context or heritage constraints, accessibility/ traffic arrangements and availability and/or viability when compared to the appeal site. The sequential test concludes that the appeal site is the most sequentially preferable site for the development of future retail in the town and will, therefore, not impact the vitality and viability of the existing retail offer in the town core.

10.2.9. Following a review of the sequential test submitted and retail provision in Balbriggan, I consider the subject site to be the most appropriate site for the proposed development as the assessment submitted has clearly demonstrated that there is no suitable, available or viable site within the town centre which could accommodate the proposal. I further note that no evidence has been provided from the observer in support of their criticisms of the RIA undertaken by the applicant. In light of the foregoing, I consider that the location of the proposed development to be in compliance with the requirements of Section 4.4.2 of the Retail Planning Guidelines (2012).

Impact on Vitality and Viability

10.2.10. Annex 2 of the Retail Planning Guidelines provides indicators for testing the vitality and viability of a town centre and go on to note that it may be difficult to obtain all the vitality and viability health check indicators, especially for local authorities.

10.2.11. The observer considers the applicant has failed to address the health check indicators and raises concerns about the potential negative impact arising for the existing retail core.

10.2.12. Section 7.0 (Qualitative Assessment) of the applicant's RIS addresses the guidelines' health check assessment requirements, by providing high level commentary under the aforementioned indicators of diversity of uses, retailer representation, retail vacancy, accessibility, environmental quality and public realm. The assessment concludes that the proposed development will have a positive impact on the vitality and viability of the town centre and will enhance Balbriggan town centre and its catchment by helping to retain expenditure with spin off benefits to existing retailers into the future.

10.2.13. Whilst I note that the applicant's qualitative assessment does not address all of the testing indicators itemised in Annex 2, I note that the majority are addressed with others (such as competitiveness) being addressed elsewhere in the RIS. Therefore overall, and given the difficulty in obtaining information on all the indicators acknowledged in the

guidelines, I am satisfied that the applicant has sufficiently addressed same and that the proposal will not negatively impact on the vitality and viability of the town centre.

Competition

- 10.2.14. The observer is concerned about the potential for the proposal to give rise a detrimental impact on the operation of existing businesses due to market oversaturation.
- 10.2.15. Section 5.1 of the Retail Guidelines notes that the assessment of retail impact is not intended to prevent competition or prevent trade diversion in itself, but its purpose is to promote healthy urban centres in the public interest. Section 2.5.3 notes that strong competition in the retail sector is essential to reduce retail costs for consumers and that “The planning system should not be used to inhibit competition, preserve existing commercial interests or prevent innovation. In interpreting and implementing these Guidelines, planning authorities and An Bord Pleanála should avoid taking actions which would adversely affect competition in the retail market. In particular, when the issue of trade diversion is being considered in the assessment of a proposed retail development, planning authorities and An Bord Pleanála should assess the likelihood of any adverse impacts on the vitality and viability of the city or town centre as a whole, and not on existing traders”.
- 10.2.16. In light of the foregoing, the Commission are precluded from considering retail competition in their determination of this appeal.

Conclusion

- 10.2.17. I have reviewed the Fingal Development Plan 2023-2029 and I am satisfied that the proposal complies with policies and objectives of same as they relate to retail development, including the retail hierarchy. The Retail Planning Guidelines, 2012 (Section 4.4: Sequential Approach to the Location of Retail Development) state that where the location of a proposed retail development complies with the policies and objectives of the Development Plan and/ or relevant retail strategy, additional supporting studies such as RIS are not required. Therefore, in this case I note the submission of an RIS was not mandatorily required in the context of the aforementioned guidance. Notwithstanding, having considered the RIA that was undertaken, I am satisfied that the proposed development would not result in a significant adverse impact on Balbriggan.

10.2.18. Furthermore, having considered the findings of the RIA together with the location of the proposed store on MC zoned lands and in a town centre location (as per the 2012 Guidelines) near the southern edge of Balbriggan's core retail area, I am of the view that the proposal constitutes the exceptional circumstances provided for under Objective EEO89 and, on this basis, I am satisfied that the proposal is compliant with the Fingal Retail Hierarchy and Strategy.

10.3. Traffic Impact

10.3.1. The appellant raises concerns (detailed in Section 9.1 of this report) with the TIA undertaken in respect of the proposal and its exclusion of the Church roundabout which is stated to be subject to traffic congestion.

10.3.2. The Church roundabout is located to the north-east of the site and does not have a direct connection to or provide a direct access to same on account of the direction of traffic flow in the locality. This would continue to be the case once the proposal is operational as the roundabout to the south-west of the site (Junction 3 in the TIA which was determined to be free flowing with no potential for tailbacks) would act as a feeder roundabout for the secondary Church Road roundabout, distributing the southward travelling traffic generated by the site's 70 no. car parking spaces to surrounding roads, with only a portion of this traffic flowing onwards in a north-east direction due to the existing road network arrangements (which will remain unchanged). In light of the foregoing, I am satisfied that the proposal will not negatively affect the operation or capacity of the Church roundabout on account of that roundabout being a secondary roundabout in the dispersal of traffic from the Aldi site.

10.3.3. I note the PA's Transportation Division raised no traffic capacity issues with the Church Roundabout and, as such, it did not form part of the scope of the TIA that was agreed with them prior to the lodgement of the application. Notwithstanding, the applicant has looked at the TIA for the extant Castlelands SHD scheme (ABP-313210-22). Their review, which is summarised in their response to the GOA, determined that there are no capacity issues with the Church Roundabout pre or post opening and that existing traffic together with the traffic generated by Castlelands and Aldi proposals can be readily accommodated within the existing local road network without requiring any mitigations or upgrades to same.

10.3.4. In respect to the more generalised concerns around school and commuter traffic congestion on adjacent roads raised by the appellant, the applicant contends that it is unlikely food-related shopping trips will take place during AM/PM peak traffic associated with commuter/ school peak travel patterns on the basis that such trips are traditionally 'add-on' in nature (i.e. diversions on work-home or home-school trips) rather than comprising of new/ independent weekday trips. I accept that this is likely to be the case and, on this basis, I am satisfied that the proposal will not give rise to traffic congestion on the local road network. I would also note the recent (Part 8) and proposed further improvements (applicant's proposals as per RFI plans and particulars) to active travel between the appeal site, town centre and established residential areas – measures which will increase local walking and cycling accessibility and help to reduce local car dependency.

10.4. Design

10.4.1. The appellant and observer both raise issues with the design of the proposed supermarket with regard to streetscape impacts/ lack of street level animation which arises from the location of the retail floor plate at first floor level and car parking at ground level. The applicant's rebuttal of same is detailed in full in Section 9.2 of this report and the main points of same are design constraints posed by site topography and use of opes and high quality materiality to provide activation and visual interest.

10.4.2. Section 14.4.5 (Shopfront Design) requires new shopfront design to respect the character and architectural heritage of existing streetscapes and provide for high quality design. In this regard, I note that the appeal site is located in a low density mixed-use area which is characterised by relatively poor quality streetscapes and that it is proximate to St. Peter and Paul's Church and Parochial House (Protected Structures) which are located c. 100m to the north-east of the site. There is no significant visual connectivity between the appeal site and these structures on account of the distance, levels and natural intervening tree cover along Harry Reynolds Road (to immediate north of the site).

10.4.3. The site survey shows the existence of an existing Uisce Eireann foul sewer on the north side of the site and that neighbouring street and internal site levels vary by c. 5m, sloping upwards from north (c. 17m OD) to south (c. 22m OD). I note that siting and design of the retail store responds to these infrastructural and topographical constraints

by partially sitting into the site (on its south side) in order to provide for a single plane retail floorplate which reads as being at ground floor level when viewed from the south and south-west, and as being at an upper floor level when viewed from the north, north-west and east.

- 10.4.4. Having reviewed the information on file, I consider that the design of the store does provide for street-level engagement on the store's south 'shopfront' public-facing south/south-west elevation which comprises of extensive glazing, high quality materials, circulatory spaces and a pedestrian access at grade via an entrance porch. The design, in effect, provides for a new streetscape (as existing building does not address the street) at this location and also for passive surveillance, active frontage and street-level animation adjoining the pedestrian, vehicular and bicycle entrance.
- 10.4.5. No real active frontage is provided at ground floor level along the store's main east elevation (with the exception of its south-east corner). I consider this to be appropriate given its aspect onto an inaccessible riparian area which adjoins the Outer Relief Road.
- 10.4.6. The building's north and north-west elevations are given over to undercroft type parking and servicing and much of the concerns raised appears to relate to same. These elevations face onto the Inner Relief Road and Harry Reynolds Road (which has recently been upgraded by the PA to provide for improved pedestrian and cycle facilities). These roads currently are bordered by industrial and business estates whose buildings are setback from the public realm (as per the existing 2-storey building on site) and provide for a poor quality streetscape with limited street-level animation. Whilst the topography of the site and its context act as a constraint on the ability to provide for ground floor level active frontage at this location, I consider that the enhancements made to the extent of glazing on the store's northern elevation at FI stage (3 no. additional sets of high level windows), together with the improvements made to the site's integration with existing pedestrian and cycle infrastructure, will deliver a greater level of passive surveillance and street-level animation at this location in addition to enhancing connectivity to the town centre and nearby public park.
- 10.4.7. In light of the foregoing considerations, I am satisfied that the proposal complies with Section 14.4.5 of the FDP, improves the local streetscape and provides for an adequate level of street animation

10.5. Other

10.5.1. Having considered the matters addressed by the PA at application and FI stages, I consider that the following are the only outstanding issues raised by the appellant and observer which are required to be addressed in the context of this appeal.

Procedural Matters

10.5.2. The observer raises an issue with the postal address used in respect of the application (i.e. Site known as Jack Murphy House on Harry Reynolds Road). I note that the applicant also provided an Eircode (K32Y280) which allows the site to be accurately geolocated and, as such, I consider I have sufficient site location information to allow me to continue to assess and make a recommendation on the appeal.

Signage

10.5.3. The PA considered the quantum of signage proposed to be excessive and sought that it be reduced in quantum by condition. Having regard to the quantum of totem, window and wall mounted signage proposed (particularly in the west store elevation) and to the FDP policy set out under Objectives DMSO10 (Corporate Logos, Lighting, Design and Colour), DMSO12 (Evaluation of Signage Proposals) and DMSO15 (Billboard and Large Advertising Structures) which seek to, inter alia, avoid the creation of visual clutter, I agree that a proposed reduction in elevational signage is warranted. I recommend the attachment of a condition to require same in the event the Commission are minded to grant permission.

Access/ Road Safety

10.5.4. The PA were satisfied with the applicant's FI sightline and Road Safety Audit (RSA) proposals and determined that the proposed roadside cycle track and footpath connecting the PA's Part 8 proposals could be secured by condition. Having reviewed the applicant's proposals with regard to same I am also satisfied as to the adequacy of their proposals on the basis of their design integration with local active travel infrastructure, localised road infrastructure changes (i.e. changes to kerbs, crossings and corner radii etc. as per RSA recommendations) and the compliance of their access sightlines with DMURS site stopping distance standard for 50km/hr roads.

Public Art

10.5.5. The PA noted that no public art was proposed as part of the proposal and sought that this be conditioned. I note that the non-provision of such an installation would not be a material contravention of FDP Objective DMSO194 which allows details to be agreed with PA. I recommend the attachment of a condition to ensure same in the event the Commission are minded to grant permission.

Public Lighting

10.5.6. I note that the proposal is required to comply with FCC's public lighting specification, and I am satisfied that this can be ensured by condition where the Commission are minded to grant permission.

Section 48 Contributions in Lieu

10.5.7. The PA, in their response, sought the payment of contributions in lieu of play facilities and public open space be applied where a shortfall in same is identified. FDP Section 14.13.3.2 (Playground Facilities) and Objective DMSO52 (Public Open Space Provision) requires provision of same in residential schemes only and, as such, I am satisfied that neither apply in this instance.

Water Servicing

10.5.8. Issues relating to water supply, surface water management and foul drainage were addressed to the satisfaction of both the PA and Uisce Eireann at stage (as detailed in Sections 3.2.1 and 3.3). In light of same, I am satisfied that the scheme's water servicing arrangements are matters capable of being addressed by condition should the Commission be minded to grant permission.

11.0 Appropriate Assessment

11.1. Stage 1 – Screening Determination for Appropriate Assessment

Finding of likely significant effects

11.1.1. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of objective information provided by the applicant, I conclude that the proposed development could result in significant effects on the North-West Irish Sea SPA (Site Code 004236) in view of the conservation objectives of a number of qualifying interest features of that site.

11.1.2. It is therefore determined that Appropriate Assessment (Stage 2) [under Section 177V of the Planning and Development Act 2000] of the proposed development is required.

11.2. **Stage 2 – Appropriate Assessment**

11.2.1. In carrying out an Appropriate Assessment (Stage 2) of the project, I have assessed the implications of the project on the North-West Irish Sea SPA (Site Code 004236) in view of the sites' conservation objectives. I have had regard to the applicant's NIS and all other relevant documentation and submissions on the case file. I consider that the information included in the case file is adequate to allow the Commission to carry out an Appropriate Assessment.

11.2.2. Following the Appropriate Assessment (Stage 2), it has been concluded that the project, individually and/ or in-combination with other plans or projects would not adversely affect the integrity of the North-West Irish Sea SPA in view of this site's conservation objectives and qualifying interests.

11.2.3. This conclusion is based on:

- An assessment of all aspects of the project including proposed mitigation measures in relation to the conservation objectives of North-West Irish Sea SPA.
- An assessment of in-combination effects with other plans and projects including historical and current plans and projects, including ABP-313210-22, provided for under the Fingal Development Plan 2023-2029.
- There being no reasonable scientific doubt as to the absence of adverse effects on the integrity of North-West Irish Sea SPA.

12.0 **Recommendation**

I recommend a GRANT of permission subject to the following conditions.

13.0 **Reasons and Considerations**

Having regard to the provisions of the Fingal Development Plan 2023-2029, to the 'TC – Town and District Centre' land use zoning of the subject site, to the Retail Planning

Guidelines for Planning Authorities 2012 (DoEHLG) and to the nature, scale and design of the proposed development relative to the existing pattern of development in the wider area, it is considered that subject to compliance with the conditions set out below, the proposed development would provide for an acceptable form of development on this town centre site, would not seriously injure the amenities of properties in the vicinity, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

14.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further information received by the planning authority on the 17th of April 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The hours of trading shall be between 0800 and 2200 hours Mondays to Saturdays and between 0900 and 2100 hours on Sundays and bank holidays. Deliveries hours shall be between 0700 and 2300 (7 days) and shall take place within the confines of the site only.</p> <p>Reason: To clarify the extent of the permission.</p>
3.	<p>Details, including samples, of the materials, colours and textures of all the external finishes, including external glass, to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. In this regard, samples shall be erected on site where required by the planning authority.</p> <p>Reason: In the interest of the visual amenities of the area</p>
4.	<p>That the entire premises be used as a single retail unit apart from such use as may be exempted development for the purposes of the Planning and Development Regulations.</p> <p>Reason: In the interest of clarity and to prevent unauthorised development.</p>
5.	<p>The developer shall provide a piece of public art or sculpture. The location of the piece of art shall be agreed with the Parks and Green Infrastructure Division prior to the commencement of works on site.</p> <p>Reason: To comply with Objective DMSO194 of the Fingal Development Plan 2023 – 2029.</p>
6.	<p>The nature (including details of colour, finish and level of illumination (lux)) and extent of all advertising signage shall be submitted to, and agreed in writing with, the planning authority prior to the occupation of the development.</p> <p>Reason: In the interest of visual amenity.</p>
7.	<p>Notwithstanding the provisions of the Planning and Development Regulations</p>

	<p>2001, as amended, no advertisement signs including any signs installed to be visible through the windows, advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the retail units or within the curtilage of the site, unless authorised by a further grant of planning permission.</p> <p>Reason: To protect the visual amenities of the area.</p>
8.	<p>Any roller shutters, roller shutter boxes or other security shuttering for the premises shall be of the open grille type, dark coloured and installed internally behind the line of glazing.</p> <p>Reason: In the interest of visual amenity.</p>
9.	<p>Comprehensive details of the proposed public lighting system to serve the development shall be submitted to and agreed in writing with the planning authority, prior to commencement of development. This should take account the mitigation measures outlined in the Bat Fauna Impact Assessment submitted with the application.</p> <p>Reason: In the interest of public safety, biodiversity and visual amenity.</p>
10.	<p>For the control of noise associated with the operation of the proposed development, the applicant shall ensure that the recommendations of the Environmental Noise Impact Assessment Report prepared by Redkite Environmental, including recommendations regarding plant and deliveries management, are adhered to.</p> <p>Reason: In the interest of public health and amenity.</p>
11.	<p>No additional development shall take place above roof parapet level, including air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas, or equipment, unless agreed in writing with the planning authority.</p> <p>Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area.</p>
12.	<p>The following requirements shall be complied with in full: (a) No objects, structures, landscaping or planting shall be placed or installed within the visibility splays (as defined by DMURS and as per the submitted site layouts) exceeding a height of 900mm; which would interfere or obstruct (or could obstruct over time) the required visibility splays. (b) All works to the public footpath and road carriageway to facilitate the development and any repairs to the public footpath and road carriageway necessary as a result of the development shall be at the expense of the developer and completed to the Councils' standards for taking-in-charge and to the satisfaction of the Council. (c) All stormwater shall be disposed of to soakpits or drains within the site and shall not discharge onto the public road surface. (d) Road Safety Audits shall be carried out as part of the proposed development at all of the relevant stages as outlined in current edition of Transportation Infrastructure Ireland guidelines GE-STY-1027. Any amendments proposed to public road network recommended by road safety audits shall be submitted to and agreed in writing with the authority prior to construction. (e) Construction details of the proposed roadside cycle track and footpath and associated works shall be submitted to and agreed in writing with the authority prior to commencement.</p> <p>Reason: In the interest of pedestrian and traffic safety.</p>
13.	<p>Prior to the commencement of works on site, a revised detailed landscape plan shall be approved by the planning authority. Adequate tree planting shall be provided with a minimum separation distance of 7 metres maintained between</p>

	<p>lamp standards and newly planted street trees. Trees shall not be planted within 2.5 metres of services or within 2 metres of boundary walls and paths. The minimum size for newly planted trees shall be 14-16 cm in girth.</p> <p>Reason: In the interests of biodiversity and visual amenity.</p>
14.	<p>The following requirements shall be complied with in full: (a) The recommendations as set out in the Arboricultural Report, Tree Protection Plan and Arboricultural Method Statement prepared by Charles McCorkell, dated October 2024 shall be implemented in full. (b) A tree bond of €60,000 shall be lodged with the Council prior to the commencement of development to ensure all the retained trees included in the Tree Survey Plan 240916-P-10 provided by Charles McCorkell along the eastern and southern are protected and maintained in good condition throughout the development works. This bond will be held by Fingal County Council for three years post-construction, with the possibility of extension if construction-related defects are identified. (c) The developer must agree with the Planning Authority on the location of the site compound to ensure the protection of retained trees and vegetation. Pruning of existing trees and vegetation, as recommended by Charles McCorkell, must be limited to within the site boundary line and shall only be carried out outside the bird nesting season to comply with wildlife regulations.</p> <p>Reason: In the interest of tree protection, visual amenity and biodiversity.</p>
15.	<p>The following requirements shall be complied with in full: (a) The management of Japanese Knotweed (<i>Fallopia japonica</i>) shall strictly adhere to the recommendations outlined in the Invasive Weed Site Inspection Report, prepared by Connacht Weed Control (dated 28/08/2024). (b) All areas affected by Japanese Knotweed on-site must be fenced off and clearly marked with appropriate signage before any construction activities commence. (c) The developer shall submit a post-construction report detailing the results of the on-site weed control measures and outlining any proposed plans for ongoing management.</p> <p>Reason: To ensure the protection of biodiversity.</p>
16.	<p>All site construction works shall be managed in accordance with a Construction and Environmental Management Plan (CEMP) which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. The CEMP shall include details of the implementation of appropriate mitigation measures for noise, dust and vibration, and the monitoring of such levels.</p> <p>Reason: In the interest of public safety and residential amenity.</p>
17.	<p>The following requirements shall be complied with in full:</p> <p>(a) Prior to the commencement of development, the applicant shall prepare a Construction and Demolition Resource Waste Management Plan (RWMP), for the written agreement of the Planning Authority, as set out in the Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for C&D Projects (2021).</p> <p>(b) an Operational Waste Management Plan (OWMP) should be submitted to, and agreed in writing with, the Planning Authority, prior to the commencement of development.</p> <p>(c) Prior to the demolition activities, a refurbishment/demolition Asbestos Survey should be carried out and submitted to, and agreed in writing with, the planning authority.</p> <p>Reason: In the interests of public health and orderly development.</p>

18.	<p>The attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.</p> <p>Reason: To prevent flooding and in the interests of sustainable drainage.</p>
19.	<p>(a) The applicant shall sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.</p> <p>(b) All development shall be carried out in compliance with Irish Water Standards codes and practices.</p> <p>(c) Any proposals by the applicant to divert or build over existing water or wastewater services shall be submitted to Irish Water for written approval prior to works commencing.</p> <p>(d) Separation distances between the existing Irish Water assets and proposed structures, other services, trees, etc. have to be in accordance with the Irish Water Codes of Practice and Standard Details.</p> <p>Reason: To ensure adequate provision of water and wastewater facilities.</p>
20.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p>
21.	<p>Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public 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 or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.</p> <p>Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.</p>

22.	Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority. Reason: To safeguard the amenity of property in the vicinity.
23.	All service cables associated with the proposed development (such as electrical, public lighting, telecommunications and communal television) shall be located underground. Reason: In the interests of visual amenity and orderly development.
24.	During the construction and operational stages of the proposed development the mitigation measures as contained in the Natura Impact Statement and related documentation shall be implemented in full to protect the receiving environment. Reason: In the interest of the proper planning and sustainable development of the area and to protect the integrity of European Sites.

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.

Emma Gosnell
 Planning Inspector
 24th November 2025

Appendix 1

Form 1: EIA Pre-Screening

Case Reference	ACP-322977-25
Proposed Development Summary	Permission for the demolition of existing 2 no. storey building on site (c. 1,070 sqm) and the construction of a 2 no. storey discount retail store with off-licence use (c. 2,448 sqm gross floor area) and c. 1,356 sqm net retail floor area (at first floor level), including ESB substation and loading bay, car parking (70 spaces, under croft and surface level) with vehicular and pedestrian access (via existing access) from Harry Reynolds Road (also known as the Inner Relief Road) to the west. All associated works to facilitate the development including landscaping, lighting, boundary treatments, internally illuminated signage (c. 20.44sqm at north, west, south-west and east elevations of the building), c. 10.22 sqm double sided pole sign 6 metres in height at vehicle entrance, 1 no. vinyl wall sign at western elevation (c. 1sqm) external plant, 836 sqm of PV panels at roof level and 32 no. cycle parking spaces.
Development Address	Site known as Jack Murphy House, Harry Reynolds Road, Stephenstown, Balbriggan, Co. Dublin, K32Y280.
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
(For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	

<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	Part 2, Class 10(b)(iii) Infrastructure – shopping centre/ retail – 10,000sq.m. Proposal is for 2,448 sqm gross floor area. Part 2, Class 10(b)(iv) - Urban development – 2 hectares in case of business district/ 10 hectares (built-up area). - Site is 0.53ha.

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input checked="" type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____

Form 2: EIA Preliminary Examination

Case Reference	ABP-322008-25
Proposed Development Summary	Demolition of building, construction of 2-storey retail store with off-license with all associated site works. NIS was submitted with application.
Development Address	Site known as Jack Murphy House, Harry Reynolds Road, Stephenstown, Balbriggan, Co. Dublin, K32Y280.
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 development is for a 2-storey retail supermarket and comes forward as a standalone project, and it does not involve the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. Its relationship to, and potential impact, on the adjoining Bracken River is dealt with in the WFD Assessment in Appendix 3 of this report.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites,	The development is situated on a brownfield site and surrounded by predominantly commercial/ light industrial land uses (relatively abundant as per the FDP Core Strategy) with some recreational uses to the north. The site is located in the townland of Stephenstown in the southern environs of Balbriggan, Co. Dublin with the Stephenstown Industrial Estate and Fingal Bay Industrial Park being located to the west and the Balbriggan Business Campus and Mill Pond Park recreational area and being located to its

<p>densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>north. Undeveloped greenfield lands lie to the site's east and south-east.</p> <p>The development site is currently accessed off Harry Reynolds Road (to the west). This access will be maintained with no new vehicular access created.</p> <p>The following European sites are also located in close proximity to the site:</p> <ul style="list-style-type: none"> • c. 1km from North-West Irish Sea SPA (Site Code 004236). • c. 6km from Skerries Islands SPA (Site Code 004122). • c. 9km from Rockabill SPA (Site Code 004014). • c. 8km from Rockabill to Dalkey Island SAC (Site Code 003000). <p>The potential for pathways to these European sites is considered in the Stage 1 and Stage 2 Appropriate Assessment contained in Appendix 2 of the Inspector's Report.</p> <p>The River Bracken is located c. 6m to the east of the site, with St. Peter and Paul's Church and Parochial House (Protected Structures) being located c. 100m to the north-east of the site.</p> <p>Whilst the development is generally removed from sensitive natural habitats, dense centres of population and designated sites and landscapes of identified significance in the County Development Plan, the site's visual relationship with the nearby public park and St. Peter and Paul's Church and Parochial House (Protected Structures) which are located c. 100m to the north-east of the site are dealt with in Section 10.4 of the Inspector's Report.</p>
<p>Types and characteristics of potential impacts</p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>Having regard to the nature of the proposed development, its location removed from sensitive habitats/ features; likely limited magnitude and spatial extent of effects; and, absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.</p>
<p>Conclusion</p>	

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: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)

Form 3: EIA Screening Determination

A. CASE DETAILS		
An Bord Pleanála Case Reference	ACP-322977-25	
Development Summary	<p>Permission for the demolition of existing 2 no. storey building on site (c. 1,070 sqm) and the construction of a 2 no. storey discount retail store with off-licence use (c. 2,448 sqm gross floor area) and c. 1,356 sqm net retail floor area (at first floor level), including ESB substation and loading bay, car parking (70 spaces, undercroft and surface level) with vehicular and pedestrian access (via existing access) from Harry Reynolds Road (also known as the Inner Relief Road) to the west. All associated works to facilitate the development including landscaping, lighting, boundary treatments, internally illuminated signage (c. 20.44sqm at north, west, south-west and east elevations of the building), c. 10.22 sqm double sided pole sign 6 metres in height at vehicle entrance, 1 no. vinyl wall sign at western elevation (c. 1sqm) external plant, 836 sqm of PV panels at roof level and 32 no. cycle parking spaces.</p>	
	Yes / No / N/A	Comment (if relevant)
1. Was a Screening Determination carried out by the PA?	Yes	<p>Planning authority determined that proposal falls into 2 no. classes specified in Part 2, Schedule 5 of the Planning and Development Regulations 2001 (as amended) i.e. Class 10(b)(iii) and Class 10(b)(iv) – subthreshold project.</p> <p>Having considered the submitted EIA screening report (November 2024), the PA were satisfied</p>

		that the proposed development is not likely to have significant effects on the environment and it considered that EIA and the preparation of an EIAR was not required for this project.
2. Has Schedule 7A information been submitted?	Yes	As per EIA Screening Report (November 2024) submitted with the application.
3. Has an AA screening report or NIS been submitted?	Yes	EIA Screening Report (November 2024) and Stage 1 (AA Screening) and Stage 2 (Natura Impact Statement) Report (November 2024) submitted with the application.
4. Is a IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?	No	N/A – proposal is for a retail supermarket.
5. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA	No	SEA, AA and SFRA were undertaken by the planning authority in respect to the preparation of the Fingal County Development Plan 2023-2029. WFD Assessment undertaken for project - see Appendix 3 of Inspector's Report.

B. EXAMINATION	Yes/ No/ Uncertain	Briefly describe the nature and extent and Mitigation Measures (where relevant) (having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact) Mitigation measures – Where relevant specify features or measures proposed by the applicant to avoid or prevent a significant effect.	Is this likely to result in significant effects on the environment? Yes/ No/ Uncertain
This screening examination should be read with, and in light of, the rest of the Inspector’s Report attached herewith			
1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)			
1.1 Is the project significantly different in character or scale to the existing surrounding or environment?	No – The subject development is a retail development located on zoned, brownfield lands within a built up urban area. It will not be significantly	n/a	No

	<p>different to the character or scale of the receiving environment.</p> <p>From an environmental perspective, the nature and scale of the proposed development is not regarded as being significantly at odds with the surrounding pattern of development See also Section 10 of the Inspector's Report for further details in this regard.</p>		
<p>1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?</p>	<p>Yes –</p> <p>The proposed development will change the vacant, brownfield status of this land by bringing it back into operation as a supermarket retail development.</p> <p>The project involves preparatory site works of localised demolition, site clearance, excavation (removal of top and subsoils), infilling and some ground re-profiling necessity some topographic changes (which are kept to a minimum via the design of the building). Construction works also include laying of services infrastructure, pouring of concrete for foundations and other hard surfaces etc.</p> <p>On this basis, the topographic changes within the site would be</p>	n/a	Uncertain

	<p>localised and relatively negligible. The proposal also necessitates works outside the site to connect into existing services and active travel infrastructure.</p> <p>Site enabling works, construction and operation may have potential localised impact on topography of site as it relates to neighbouring sites and to the riparian corridor to the east. The potential impacts on the adjoining River Bracken are considered in Appendices 2 and 3 of this report where it is concluded that no negative impacts on same will arise due to the nature and extent of the mitigations proposed.</p>		
<p>1.3 Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?</p>	<p>No –</p> <p>Proposal involves reuse of zoned, brownfield land in an urban area which is not in short supply as per the Core Strategy.</p> <p>Construction materials will be typical for the type of urban development proposed.</p> <p>The loss of natural resources as a result of the redevelopment of the site are not regarded as significant in nature.</p>	<p>n/a</p>	<p>No</p>

	Once operational, proposal will connect in with existing service infrastructure in locality and incorporates environmental sustainability measures in its design as per the submitted Climate Action and Energy Design Statement (November 2024).		
1.4 Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?	Uncertain – Demolition/ site clearance/ construction materials will be typical for the type of development proposed. Construction activities will require the use of potentially harmful materials, such as fuels and other such substances. Use of such materials would be typical for construction sites. Any impacts would be local and temporary in nature. No operational impacts in this regard are anticipated.	CEMP and CDRWMP etc. as pre-commencement condition(s) – the implementation of the standard measures outlined in same would satisfactorily mitigate potential impacts.	No
1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?	Yes – Standard construction activities will require the use of potentially harmful materials, such as fuels and other similar substances, and will give rise to waste for disposal.	CEMP, CDRWMP, OWMP, Asbestos survey as pre-commencement condition(s) – the implementation of the standard measures outlined in a same would	No

	<p>The use of these materials would be typical for construction sites.</p> <p>Noise and dust emissions during construction are likely.</p> <p>Such construction impacts would be local and temporary in nature.</p> <p>Operational waste would be managed through a waste management plan to obviate potential environmental impacts.</p> <p>Other significant operational impacts are not anticipated.</p>	satisfactorily mitigate potential impacts.	
<p>1.6 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?</p>	<p>Uncertain –</p> <p>Potential for contaminants associated with standard construction activities (i.e. building waste materials, machine oil etc.). Any potential impacts would be localised and temporary in nature and no significant risks are identified.</p> <p>The operational development will connect to mains services.</p>	<p>Operation of standard construction management measures outlined in a CEMP and a CDRWMP will satisfactorily mitigate emissions from spillages etc. during construction.</p> <p>Potential local contamination risks during the operational stage could be suitably mitigated by the application of standard drainage mitigation measures such as SuDS.</p>	No
<p>1.7 Will the project cause noise and vibration or release of light,</p>	<p>Uncertain –</p>	<p>CEMP as pre-commencement condition(s) – the implementation of the standard</p>	No

heat, energy or electromagnetic radiation?	There is potential for the construction activity to give rise to noise, increased lighting and vibration emissions. Such emissions will be localised and short term in nature.	measures outlined in same would satisfactorily mitigate potential impacts. Condition requiring implementation of recommendations outlined in applicant's Environmental Noise Impact Assessment Report.	
1.8 Will there be any risks to human health, for example due to water contamination or air pollution?	Uncertain – Construction activity is likely to give rise to localised dust emissions and material spillages. Such construction impacts would be temporary and localised in nature.	CEMP and CDRWMP as pre-commencement condition(s) – the implementation of the standard measures outlined in a same would satisfactorily mitigate potential impacts.	No
1.9 Will there be any risk of major accidents that could affect human health or the environment?	Uncertain – No significant risk of major accidents given that there are no Seveso/COMAH sites in the vicinity of this location.	n/a	No
1.10 Will the project affect the social environment (population, employment)	Yes – Increase in local retail provision. Potential increase in and employment during construction and operational phases.	n/a	No
1.11 Is the project part of a wider large scale change that	No –	n/a	No

could result in cumulative effects on the environment?	Standalone retail development site which is located on zoned town centre land as per the Development Plan's Core Strategy (which was subject to SEA, AA and SFRA). The principle of development is generally in accordance with the FDP.		
2. Location of proposed development			
<p>2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following:</p> <ul style="list-style-type: none"> - European site (SAC/ SPA/ pSAC/ pSPA) - NHA/ pNHA - Designated Nature Reserve - Designated refuge for flora or fauna - Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan 	<p>No –</p> <p>Sensitive ecological sites are not located on site.</p> <p>The Bracken River adjoins the site to the east and Appendix 3 considers the impact on same.</p> <p>The nearest European sites are listed in Section 6 of the Inspector's report. The proposed development would not result in significant impacts on these sites. Annex II habitats or habitat suitable for protected species, including plants, were not found on site.</p> <p>Japanese knotweed was found on site and this will be dealt with in line with the recommendations of the submitted Invasive Species Management Plan which will be conditioned.</p>	n/a	No

<p>2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?</p>	<p>No – No evidence that the site is used by qualifying interests for ex-situ foraging and no bats were found on site during the bat surveys that were carried out. Biodiversity measures in the form of additional planting native planting are anticipated to be of benefit to nesting and foraging birds etc.</p>	<p>n/a</p>	<p>No</p>
<p>2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?</p>	<p>No – Whilst the site is proximate to St. Peter and Paul’s Church and Parochial House (Protected Structures) which are located c. 100m to the north-east of the site. There is no significant visual connectivity between the appeal site and these structures on account of the distance, levels and natural intervening tree cover along Harry Reynolds Road (to immediate north of the site).</p>	<p>n/a</p>	<p>No</p>
<p>2.4 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture,</p>	<p>Yes – River Bracken is located c. 6m to east of site re: water and fisheries.</p>	<p>CEMP and CDRWMP as pre-commencement condition(s) – the implementation of the standard measures outlined in a same would</p>	<p>No</p>

water/coastal, fisheries, minerals?		satisfactorily mitigate potential impacts.	
<p>2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?</p>	<p>No – Coastal flooding and pluvial flooding associated with the River Bracken was determined not to pose a risk to the site which is located in Flood Zone C (low probability) on account of its inland location, elevation above sea level and relative site level(s). The site has been determined to have no history of pluvial flooding or exceedance events and the likelihood of flooding on site due to surcharging or flooding from surrounding areas is considered to be low. Groundwater flooding is not considered to be a risk for the proposal as there are no known records of groundwater/ springs seepage on site and this was confirmed by geotechnical site investigations.</p> <p>Potential impacts arising from the discharge of surface waters to receiving waters are considered, however, no likely significant effects are anticipated.</p>	<p>The development will implement standard, best practice SUDS measures to control the quality and quantity of surface water run-off.</p>	<p>No</p>

<p>2.6 Is the location susceptible to subsidence, landslides or erosion?</p>	<p>No – Geotechnical investigations on site confirmed no issues.</p>	<p>n/a</p>	<p>No</p>
<p>2.7 Are there any key transport routes (eg National primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?</p>	<p>No – Proposal is located in southern environs of Balbriggan town and is served by an existing urban road network. It is not likely to give rise to traffic congestion on key transport routes as per conclusion in Section 10.3 of Inspector’s Report.</p>	<p>n/a</p>	<p>No</p>
<p>2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?</p>	<p>No – There are no schools or hospitals in the immediate vicinity.</p>	<p>n/a</p>	<p>No</p>
<p>3. Any other factors that should be considered which could lead to environmental impacts</p>			
<p>3.1 Cumulative Effects: Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?</p>	<p>No - No existing or permitted developments have been identified in the immediate vicinity that would give rise to significant cumulative local environmental effects with the subject proposal (Section 10.3 of Inspector’s Report re: assessment of cumulative traffic impacts).</p>	<p>N/A</p>	<p>No</p>

3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No – No transboundary considerations arise.	n/a	No
3.3 Are there any other relevant considerations?	No	n/a	No
C. CONCLUSION			
No real likelihood of significant effects on the environment.	<input checked="" type="checkbox"/>	EIAR Not Required	
Real likelihood of significant effects on the environment.	<input type="checkbox"/>	EIAR Required	
D. MAIN REASONS AND CONSIDERATIONS			
<p>Having regard to: -</p> <ul style="list-style-type: none"> • The nature and scale of the proposed development, which is under the mandatory threshold in respect of Class 10 – Infrastructure and Urban Development Projects of the Planning and Development Regulations 2001 (as amended); • The location of the site within the existing built-up urban area, which is served by public infrastructure, the site’s limited ecological value and the existing pattern of development in the vicinity; • The location of the site outside of any sensitive location specified in Article 109 of the Planning and Development Regulations 2001 (as amended); • The guidance set out in the “Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development”, issued by the Department of the Environment, Heritage and Local Government (2003); and, 			

• The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended);
It is considered that the proposed development would not have the potential to have likely significant effects on the environment and that an environmental impact assessment report would not, therefore, be required.

Inspector _____

Date _____

Approved (DP/ADP) _____

Date _____

Appendix 2

Appropriate Assessment – Stage 1 and Stage 2

Screening for Appropriate Assessment	
Test for likely significant effects	
Step 1: Description of the project and local site characteristics	
Case file: ACP-322977- 25	
Brief description of project	Retail supermarket development at Balbriggan, Co. Dublin. Third Party appeal.
Brief description of development site characteristics and potential impact mechanisms	<p>The proposed development will consist of the demolition of the existing building on site (1,070sqm) and construction of a 2 no. storey discount retail store with off-licence use (c. 2,448 sqm gross floor area, c. 1,356 sqm net floor area), provision of 70 no. car parking spaces (41 no. undercroft and 29 no. surface level spaces), 32 no. cycle parking spaces and a loading bay, with vehicular and pedestrian access from Harry Reynolds Road (also known as the Inner Relief Road). The project also included all associated works to facilitate the development including landscaping, lighting, boundary treatments, internally illuminated signage (north, east and western elevations of building), a double-sided pole sign 6 metres in height at site entrance, external plant, single storey substation and switch room and 470 sqm of PV panels at roof level – all on a site of c. 0.53ha.</p> <p>Site preparation work and construction works will require demolition, site clearance, excavations and the removal of some vegetation across the site. A construction and environment management plan (CEMP) and Resource and Construction Waste Management Plan (RCWMP) accompany the application. Good practice construction site management measures are integrated into the project description.</p> <p>The proposed development will be connected to public potable and foul sewer networks and attenuated surface water will outfall from the proposed development to the which adjoins the Bracken River which is located c. 6m to the east of the development site.</p> <p>This river is separated from the development site by a fence and a thick band of vegetation/ riparian corridor local roads and agricultural land. It flows south to north along the eastern</p>

	<p>boundary of the site before discharging to the North-West Irish Sea c. 1km to the north-east.</p> <p>The application site is characterised by brownfield land which is overgrown by scrub and other vegetation, particularly on its north, south and eastern boundaries.</p> <p>The application site was surveyed by ecologists with bat surveys undertaken at the appropriate time of year and in accordance with standard methodologies concluding that whilst the site is not an important habitat to local bat species regarding roosting or foraging, the Bracken River was a bat foraging corridor. Invasive plant species were recorded on the site and an Invasive Species Management Plan has been submitted. The EIA screening report submitted in support of the application concludes that, with the adoption of mitigation measures, it is considered that no significant adverse effects on ecology and biodiversity are likely to arise as a result of the proposed development.</p>
Screening report	Yes (Prepared by Altemar)
Natura Impact Statement	Yes (Prepared by Altemar)
Relevant Submissions	<p>The submission from Uisce Eireann (dated 12/12/2024) notes that applicant has engaged with UE and that confirmation of feasibility (CoF) determines that water and wastewater connections are feasible without upgrades. It raises no concerns regarding the proposal, subject to the application of standard conditions and notes that UE assets are present on site and that the developer must demonstrate that proposed structures and works will not inhibit access to or otherwise interfere with same.</p> <p>The 2 no. third party submissions made to the PA raised no issues relevant to AA, nor did the observations on the appeal.</p>

Step 2. Identification of relevant European sites using the Source-pathway-receptor model

Four European sites are potentially within a zone of influence of the proposed development. I note that the that the applicant included a greater number of European sites in their initial screening consideration with sites within 15km of the development site considered (i.e. Rogerstown Estuary SAC, Boyne Coast and Estuary SAC and Malahide Estuary SAC). I am satisfied that these sites can be excluded from further consideration as there is no ecological justification for such a wide consideration of sites, and I have only included those sites with any possible ecological connection or pathway in this screening determination.

European Site (code)	Qualifying interests ₁	Distance from proposed	Ecological Connections ₂	Consider further
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	Link to conservation objectives (NPWS, date)	development		in screening ³
North-West Irish Sea SPA (Site Code 004236)	21 x wetland/ waterbirds CO004236.pdf NPWS 2023	Within 1km at nearest point	Indirect via River Bracken – surface water discharges.	Yes
Skerries Islands SPA (Site Code 004122)	6 x wetland/ waterbirds CO004122.pdf NPWS 2024	Within 6km at nearest point	Weak connection as upwater of connection between River Bracken and Irish Sea.	No
Rockabill SPA (Site Code 004014)	4 x wetland/ waterbirds CO004014.pdf NPWS 2013	Within 9km at nearest point	Weak connection as upwater of connection between River Bracken and Irish Sea.	No
Rockabill to Dalkey Island SAC (Site Code 003000)	Reefs and harbour porpoise CO003000.pdf NPWS 2013	Within 8km at nearest point	Weak connection as upwater of connection between River Bracken and Irish Sea.	No
<p>1 summary description / cross reference to NPWS website is acceptable at this stage in the Report. 2 Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species. 3 if no connections: N.</p>				

Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

AA Screening matrix

Site Name	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
North-West Irish Sea SPA (Site Code 004236) Red-throated Diver (<i>Gavia stellata</i>) [A001] Great Northern Diver (<i>Gavia immer</i>) [A003]	Direct pathway to SPA: - Release of silt and sediment during site works	Potential disturbance risks qualifying interest species for the SPA, which could be associated with increased noise, additional lighting and increased human activity at both construction

<p>Fulmar (<i>Fulmarus glacialis</i>) [A009] Manx Shearwater (<i>Puffinus puffinus</i>) [A013] Cormorant (<i>Phalacrocorax carbo</i>) [A017] Shag (<i>Phalacrocorax aristotelis</i>) [A018] Common Scoter (<i>Melanitta nigra</i>) [A065] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Common Gull (<i>Larus canus</i>) [A182] Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183] Herring Gull (<i>Larus argentatus</i>) [A184] Great Black-backed Gull (<i>Larus marinus</i>) [A187] Kittiwake (<i>Rissa tridactyla</i>) [A188] Roseate Tern (<i>Sterna dougallii</i>) [A192] Common Tern (<i>Sterna hirundo</i>) [A193] Arctic Tern (<i>Sterna paradisaea</i>) [A194] Guillemot (<i>Uria aalge</i>) [A199] Razorbill (<i>Alca torda</i>) [A200] Puffin (<i>Fratercula arctica</i>) [A204] Little Gull (<i>Hydrocoloeus minutus</i>) [A862] Little Tern (<i>Sternula albifrons</i>) [A885]</p>	<p>- Release of construction related compounds including hydrocarbons to surface water - Spread of invasive plant species including Japanese knotweed which was recorded on the development site - Increased human disturbance at this site, particularly during the construction/ installation phase.</p>	<p>and post construction phases; Potential damage to riparian and river habitats associated with inadvertent spillages of hydrocarbons and/or other chemicals during construction phase; Potential damage to the habitats and qualifying interest species whose foraging depends on water quality, an impact of sufficient magnitude could undermine the sites conservation objectives; Potential spread of invasive species associated with ground disturbance activities during the construction phase.</p>
	Likelihood of significant effects from proposed development (alone): Yes	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects?	

Step 4 Conclude if the proposed development could result in likely significant effects on a European site

Based on the information provided in the applicant's screening report, my site inspection and review of the conservation objectives and supporting documents, I consider that in the absence of mitigation measures beyond best practice construction methods, the proposed development has the potential to result significant effects on North-West Irish Sea SPA (Site Code 004236).

I concur with the applicants' findings that such impacts could be significant in terms of the stated conservation objectives of the SPA when considered on their

own and in combination with other projects and plans in relation to pollution pressures and related disturbance on qualifying interest habitats and species.

Appropriate Assessment

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 retail supermarket development in view of the relevant conservation objectives of North-West Irish Sea SPA (Site Code 004236) based on scientific information provided by the applicant and considering expert opinion through observations on nature conservation.

The information relied upon includes the following:

- Natura Impact Statement prepared by Altemar.
- Surface Water Management plan prepared by Downes Associates.
- Invasive Species Management Plan prepared by Altemar.
- Outline Construction Environmental Management Plan prepared by Altemar.

I am satisfied that the information provided is adequate to allow for Appropriate Assessment. 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.

Submissions/observations

No relevant submission received other than Uisce Eireann submission as detailed in Section 3.3 of Inspector's Report.

European Sites

North-West Irish Sea SPA (Site Code 004236):

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

- (i) Water quality degradation (construction and operation).**
- (ii) Disturbance.**
- (iii) Spread of invasive species.**

Qualifying Interest features likely to be affected	Conservation Objectives Targets and attributes (as relevant - summary)	Potential adverse effects	Mitigation measures (summary) NIS Table 11
<p>Red-throated Diver (<i>Gavia stellata</i>) [A001]</p> <p>Great Northern Diver (<i>Gavia immer</i>) [A003]</p> <p>Manx Shearwater (<i>Puffinus puffinus</i>) [A013]</p>	<p>Maintain favourable conservation condition. Available foraging biomass.</p>	<p>Decrease in water quality with potential to affect foraging biomass/ alteration to habitat – undermine conservation objectives.</p>	<ul style="list-style-type: none"> - Pollution control Measures. - Application of industry standard controls. - CEMP. -Supervision by ecologist. - Monitoring of water quality parameters.
<p>Fulmar (<i>Fulmarus glacialis</i>) [A009]</p>	<p>Restore favourable conservation condition. Available forage biomass.</p>	<p>Decrease in water quality with potential to affect foraging biomass/ alteration to habitat – undermine conservation objectives.</p>	<ul style="list-style-type: none"> - Pollution control Measures. - Application of industry standard controls. - CEMP. -Supervision by ecologist. - Monitoring of water quality parameters.
<p>Cormorant (<i>Phalacrocorax carbo</i>) [A017]</p> <p>Shag (<i>Phalacrocorax aristotelis</i>) [A018]</p> <p>Kittiwake (<i>Rissa tridactyla</i>) [A188]</p>	<p>Restore favourable conservation condition. Available forage biomass.</p>	<p>Decrease in water quality with potential to affect foraging biomass/ alteration to habitat – undermine conservation objectives.</p> <p>Spread of invasive species- Himalayan Balsam.</p> <p>Potential for disturbance from upriver foraging areas during construction.</p>	<ul style="list-style-type: none"> - Pollution control Measures. - Application of industry standard controls. - CEMP. -Supervision by ecologist. - Monitoring of water quality parameters. - Invasive species management plan.

<p>Common Scoter (Melanitta nigra) [A065]</p> <p>Black-headed Gull (Chroicocephalus ridibundus) [A179]</p> <p>Common Gull (Larus canus) [A182]</p> <p>Roseate Tern (Sterna dougallii) [A192]</p> <p>Common Tern (Sterna hirundo) [A193]</p> <p>Little Tern Sterna albifrons [A195]</p>	<p>Maintain favourable conservation condition.</p> <p>Available foraging biomass.</p>	<p>Decrease in water quality with potential to affect foraging biomass/ alteration to habitat – undermine conservation objectives.</p>	<p>- Pollution control Measures.</p> <p>- Application of industry standard controls.</p> <p>- CEMP.</p> <p>-Supervision by ecologist.</p> <p>- Monitoring of water quality parameters.</p>
<p>Lesser Black-backed Gull (Larus fuscus) [A183]</p> <p>Herring Gull (Larus argentatus) [A184]</p> <p>Great Black-backed Gull (Larus marinus) [A187]</p> <p>Arctic Tern (Sterna paradisaea) [A194]</p> <p>Guillemot (Uria aalge) [A199]</p> <p>Razorbill (Alca torda) [A200]</p> <p>Puffin (Fratercula arctica) [A204]</p>	<p>Maintain favourable conservation condition.</p>	<p>Decrease in water quality with potential to affect foraging biomass/ alteration to habitat – undermine conservation objectives.</p> <p>Spread of invasive species- Himalayan Balsam.</p> <p>Potential for disturbance from upriver foraging areas during construction.</p>	<p>- Pollution control Measures.</p> <p>- Application of industry standard controls.</p> <p>- CEMP.</p> <p>-Supervision by ecologist.</p> <p>- Monitoring of water quality parameters.</p> <p>- Invasive species management plan.</p>

Little Gull (Hydrocoloeus minutus) [A862]			
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Assessment of issues that could give rise to adverse effects:

(i) Water quality degradation

Water quality of the SPA remains vulnerable. Good quality water is necessary to maintain the populations of the Annex I bird species listed. Water quality degradation is the main risk from unmanaged site works where contaminated surface water reaches the River Bracken and downstream of same. Decreased water quality would compromise conservation objectives for Annex I species listed and increase sedimentation which could, in turn, alter habitat quality and foraging biomass.

Mitigation measures and conditions

The focus of mitigation measures proposed are at preventing ingress of pollutants and silt into surface water and receiving watercourses (adjoining River Bracken). This is to be achieved via design (avoidance), supervision by an Ecologist, application of specific mitigation measures and monitoring effectiveness of measures. Detail is provided on sediment control, concrete and hydrocarbon control, an emergency response plan and general biosecurity measures.

The mitigation measures relevant to protecting the European Sites are included in the NIS (Table 11) and are briefly summarised as follows:

Construction Phase Mitigation

- appointment of project ecologist.
- protection of River Bracken from dust, silt and surface water discharges.
- installation on site silt traps and fence to watercourse.
- siting of material stockpiles away from watercourse.
- proactive management of bund areas and site compounds.
- petrochemical interception and maintenance of drainage systems.
- no abstraction of water from River Bracken.
- vehicle cleaning regime and spill containment measures.
- pollution prevention programme and ongoing environmental risk management.
- ongoing site management and staff training.
- specific earthworks, demolition and waste management measures.

- specific protocols for storage/ use of materials, plant and equipment.
- invasive species management plan.

Operational Phase Mitigation

- A project ecologist will be appointed to oversee completion of all landscape and drainage works.
- Petrochemical interception will be inspected by the project ecologist to ensure compliance with Water Pollution Acts.

I am satisfied that the preventative measures which are aimed at interrupting the source-pathway-receptor are targeted at the key threats to water quality (and foraging bird species) and by arresting these pathways or reducing possible effects to a non-significant level, adverse effects can be prevented. Mitigation measures related to water quality are captured in Planning Condition No's 16, 17 and 18 of the Inspectors Report.

(ii) Disturbance of mobile species and (iii) Spread of invasive species

No ecological surveys relevant to the Annex I species listed as qualifying interests of the SPA were undertaken but, having considered the entirety of the information on file, I am satisfied that the proposed development will not result in any temporary or permanent barriers to the foraging movements of these species or give rise to a further spread in Japanese knotweed (invasive species).

Mitigation measures and conditions

I am satisfied that the aforementioned mitigation measures (i.e. incl. CEMP and Invasive Species Management Plan) and planning conditions proposed are adequate and will be effective in ensuring that the attributes required to maintain and restore the favourable conservation condition of the Annex I species listed above will not be adversely affected and that the proposed development will not prevent or delay the attainment of same.

In-combination effects

I am satisfied that in-combination effects have been assessed adequately in the NIS (listed in Table 4 of the NIS (pg 27) and supplemented by information in Sections 4.0 and 5.0 of Inspector's report). The proposed retail supermarket has been assessed as part of the overall project and no other plans and projects could combine to generate significant effects when mitigation measures are considered. I am satisfied

that the applicant has demonstrated that no significant residual effects will remain post the application of mitigation measures.

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 the proposed development can be excluded for the North-West Irish Sea SPA (Site Code 004236). No direct impacts are predicted. Indirect impacts would be temporary in nature and mitigation measures are described to prevent ingress of silt laden surface water and other construction related pollutants. Monitoring measures are proposed. I am satisfied that the mitigation measures proposed to prevent such effects have been assessed as effective and can be implemented and conditioned if permission is granted.

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 North-West Irish Sea SPA (Site Code 004236). 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 North-West Irish Sea SPA (Site Code 004236) in view of the conservation objectives of that site and that Appropriate Assessment under the provisions of S177U was required.

Following an examination, analysis and evaluation of the NIS all associated material submitted, and taking into account observations on nature conservation, I consider that adverse effects on site integrity of the North-West Irish Sea SPA can be

excluded in view of the conservation objectives of that site 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.
- Effectiveness of mitigation measures proposed including supervision and monitoring and integration into CEMP ensuring smooth transition of obligations to eventual contractor.
- Application of planning conditions to ensure application of these measures.
- The proposed development will not affect the attainment of conservation objectives for the North-West Irish Sea SPA (Site Code 004236).

Inspector: _____

Date: _____

Appendix 3

WFD IMPACT ASSESSMENT STAGE 1: SCREENING

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

An Bord Pleanála ref. no.	ACP-322977-25	Townland, address	Site known as Jack Murphy House, Harry Reynolds Road, Stephenstown, Balbriggan, Co. Dublin, K32Y280.
Description of project		The proposed development comprises of: the demolition of existing 2 no. storey building on site (c. 1,070 sqm); the construction of a 2 no. storey discount retail store with off-licence use (c. 2,448 sqm gross floor area) and c. 1,356 sqm net retail floor area (at first floor level), including ESB substation and loading bay, car parking (70 spaces, undercroft and surface level) with vehicular and pedestrian access (via existing access) from Harry Reynolds Road (also known as the Inner Relief Road) to the west. All associated works to facilitate the development including landscaping, lighting, boundary treatments, internally illuminated signage (c. 20.44sqm at north, west, south-west and east elevations of the building), c. 10.22 sqm double sided pole sign 6 metres in height at vehicle entrance, 1 no. vinyl wall sign at western elevation (c. 1sqm) external plant, 836 sqm of PV panels at roof level and 32 no. cycle parking spaces.	

Brief site description, relevant to WFD Screening,	Brownfield, sloping urban site. Located in Flood Risk Zone C. Located c. 6m from the River Bracken (to east). No watercourses on site.
Proposed surface water details	The existing surface water arrangements see the site run-off draining to the Bracken River via a hydrocarbon interceptor. The proposal provides for new SuDS surface water management measures (extensive green roof, permeable paving, swales etc.) which will convey run-off to attenuation systems under the proposed parking area in order to naturally infiltrate into the subsoil with excess water being conveyed by collector drains to an attenuation detention system which allows for discharge to the Bracken River via a bypass interceptor and hydrobrake, features designed to manage the quality and quantity of run-off.
Proposed water supply source & available capacity	The proposal's water supply will be sourced from the public network. The Uisce Eireann CoF confirms this potable water connection is feasible without requiring upgrade.
Proposed wastewater treatment system & available capacity, other issues	The proposal's foul drainage will be discharged to an existing foul sewer that traverses the site to north and will be treated at Balbriggan/Skerries Wastewater Treatment Plant (Barnageeragh WWTP) which is compliant and operating below capacity according to the Uisce Eireann Wastewater Treatment Capacity Register. The Uisce Eireann CoF confirms this wastewater connection is feasible without requiring upgrade.
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)
River Bracken (transitional)	c. 6m to east of site	MATT_010 Transitional waterbody code: IE_EA_08M010900	Poor	At Risk	Nutrients & Organic via Agriculture, Hydromorphology, Domestic Wastewater, Urban Run-Off.	Direct pathways identified via: <ul style="list-style-type: none"> • Surface water pollution events from construction phase, storm overflows, urban run-off etc. • Silt-laden surface water discharges. • Contaminated water discharges. • Alterations to natural hydrology, hydraulic conditions, functioning, and hydrogeology due to site/ construction works in proximity to riparian corridor and river channel.

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.	Silt-laden surface water discharges.	River Bracken	Public sewer/ drainage system.	Water pollution	CEMP and CDRWMP as pre-commencement condition(s) – the implementation of the standard measures outlined in same would satisfactorily mitigate potential impacts.	No	Screened Out - No Remaining Risk
2.	Contaminated water discharges	River Bracken	Public sewer/ drainage system	Water pollution	CEMP and CDRWMP as pre-commencement condition(s) – the implementation of the standard measures outlined in same would satisfactorily mitigate potential impacts.	No	Screened Out - No Remaining Risk
3	Alterations to natural	River Bracken	Public sewer/ drainage system	Water pollution,	CEMP and CDRWMP as pre-commencement	No	Screened Out - No Remaining Risk

	hydrology, hydraulic conditions, functioning, and hydrogeology			Pluvial and fluvial flooding	condition(s) – the implementation of the standard measures outlined in same would satisfactorily mitigate potential impacts.		
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OPERATIONAL PHASE

4.	Surface water pollution events from plant/ storm overflows	River Bracken	Public sewer/ drainage system On-site attenuation/ SuDS measures malfunctioning pathway via groundwater or public sewers.	Water pollution Pluvial flood risk	The development will implement standard, best practice SUDS measures to control the quality and quantity of surface water run-off. These will be maintained on an ongoing basis as part of the responsibilities of the management company.	No	Screened Out - No Remaining Risk
5.	Surface water pollution events from urban run-off.	River Bracken	On-site attenuation/ SuDS malfunctioning and pathway via groundwater or public sewers	Water pollution Pluvial flood risk	The development will implement standard, best practice SUDS measures to control the quality and quantity of surface water run-off. These will be maintained on an ongoing basis as part of the responsibilities of the management company.	No	Screened Out - No Remaining Risk

STAGE 2: ASSESSMENT

Details of Mitigation Required to Comply with WFD Objectives					
Surface Water					
Development/Activity e.g. culvert, bridge, other crossing, diversion, outfall, etc	<u>Objective 1: Surface Water</u> Prevent deterioration of the status of all bodies of surface water	<u>Objective 2: Surface Water</u> Protect, enhance and restore all bodies of surface water with aim of achieving good status	<u>Objective 3: Surface Water</u> Protect and enhance all artificial and heavily modified bodies of water with aim of achieving good ecological potential and good surface water chemical status	<u>Objective 4: Surface Water</u> Progressively reduce pollution from priority substances and cease or phase out emission, discharges and losses of priority substances	Does this component comply with WFD Objectives 1, 2, 3 & 4? (if answer is no, a development cannot proceed without a derogation under art. 4.7)
	Describe mitigation required to meet objective 1:	Describe mitigation required to meet objective 2:	Describe mitigation required to meet objective 3:	Describe mitigation required to meet objective 4:	
Construction/ Site Clearance Works	Site specific construction mitigation methods described in the CEMP e.g. silt fences, site-specific design of settlement ponds, etc	Site specific construction mitigation methods described in the CEMP e.g. silt fences, site-specific design of settlement ponds, etc	The scheme landscaping, inter alia, seeks to retain and further enhance the existing riparian corridor on either side of the Bracken River, supplementing same with a mix of native and	n/a	Yes

			semi-native plant species.		
Surface Water Outfall	Discharge to the Bracken River via a bypass interceptor and hydrobrake, features which will manage the quality and quantity of run-off. Standard, best practice SuDS measures.	Discharge to the Bracken River via a bypass interceptor and hydrobrake, features which will manage the quality and quantity of run-off. Standard, best practice SuDS measures.	Discharge to the Bracken River via a bypass interceptor and hydrobrake, features which will manage the quality and quantity of run-off. Standard, best practice SuDS measures.	Discharge to the Bracken River via a bypass interceptor and hydrobrake, features which will manage the quality and quantity of run-off. n/a	Yes.
Details of Mitigation Required to Comply with WFD Objectives					
Groundwater					
Development/Activity e.g. abstraction, outfall, etc.	<u>Objective 1: Groundwater</u> Prevent or limit the input of pollutants into groundwater and to prevent the deterioration of the status of all bodies of groundwater	<u>Objective 2 : Groundwater</u> Protect, enhance and restore all bodies of groundwater, ensure a balance between abstraction and recharge, with the aim of achieving good status*	<u>Objective 3:Groundwater</u> Reverse any significant and sustained upward trend in the concentration of any pollutant resulting from the impact of human activity	Does this component comply with WFD Objectives 1, 2, 3 & 4? (if answer is no, a development cannot proceed without a derogation under art. 4.7)	

	Describe mitigation required to meet objective 1:	Describe mitigation required to meet objective 2:	Describe mitigation required to meet objective 3:	
Construction/ Site Clearance Works	Site specific construction mitigation methods described in the CEMP e.g. silt fences, site-specific design of settlement ponds, etc	Site specific construction mitigation methods described in the CEMP e.g. silt fences, site-specific design of settlement ponds, etc	N/A	Yes
Surface Water Outfall	Standard, best practice SuDS measures.	Standard, best practice SuDS measures.	N/A	Yes