



An
Bord
Pleanála

Inspector's Report

PL-500838-LH-26

Development	Retention of decking area and alterations to site boundary
Location	08 The Anchorage Rathmullen Road, Drogheda, County Louth
Planning Authority	Louth County Council
Planning Authority Reg. Ref.	2560331
Applicant(s)	Aidan Townley
Type of Application	Retention
Planning Authority Decision	Refuse retention
Type of Appeal	First Party Normal Planning Appeal
Appellant(s)	Aidan Townley
Observer(s)	None
Date of Site Inspection	28 th April 2026
Inspector	Shane McGlynn

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Appendix 1 – Form 1: EIA Pre-Screening

1.0 Site Location and Description

- 1.1. The site, which has a stated area of 0.037 ha, is located on the northern side of Rathmullan Road within the established predominantly residential area of Rathmullan in the town of Drogheda, Co. Louth. It is approximately 1km west of the town centre.
- 1.2. The site comprises a detached 2-storey dwelling. Access is provided from Rathmullan Road to the front. The dwelling forms part of an existing development comprising a row of detached dwellings ('The Anchorage') fronting Rathmullan Road. The rear boundaries of these dwellings address an embankment planted with shrubs, bushes and trees. The embankment slopes steeply downward from the rear site boundary. The embankment forms part of the adjacent River Court apartment development. The ground level of the decking is approximately 6.5m above the level of the private access road to River Court, which is immediately downslope at the base of the embankment.
- 1.3. The appeal site rear garden has a stated overall area of approximately 85 sq.m. The garden contains an area of decking at the rear with an overall length of c. 4.9m and includes a standalone single storey ancillary building (c. 28 sq.m) adjoining the common rear garden boundary of the property to the west. The garden area has been extended by c. 2m beyond the previously existing rear property boundary and rear boundary line of The Anchorage. The extended garden area is in the form of decking partially extending over the steep vegetated embankment to the rear. The rear garden has a stated overall length of c. 9.8m as measured from the rear return of the property. The rear boundary consists of a c. 1.3m high glass panelled metal ballustrade and timber fencing with a maximum height of c. 1.7m (above ground level of deck / rear garden).

2.0 Proposed Development

- 2.1. The proposed development comprises: retention of the existing rear decking structure and alterations to layout and site boundary previously permitted under Louth County Council application ref. 98510041.

2.2. Documentation submitted by way of Further Information on 13th January 2026 includes:

- Structural Assessment Report
- Development Cross Section Drawings
- Legal Information Regarding Site Ownership

3.0 Planning Authority Decision

3.1. Decision

On 28th January 2026, Louth County Council issued a decision to REFUSE retention permission for the proposed development. The reason for refusal was as follows:

1. Having regard to the nature of the development, which involves the extension of the existing curtilage granted under Planning Authority Reg Ref No. 98510041 onto a steep sloping embankment, and the development works undertaken to create the extended decked area along with the design, scale, material finish and visibility of this structure from River Court and across the Boyne River, it is considered that the development is contrary to the policy objectives of HOU 34¹ of the Louth County Development Plan 2021-2027, as amended. The structure as built represent an unduly prominent and obtrusive feature in this urban landscape that detracts from the visual amenities of this area and to permit such a development would be contrary to the proper planning and sustainable development of the area and would set an undesirable precedent for similar such developments within the vicinity.

3.2. Planning Authority Reports

Summary of issues raised in the initial planning report (dated 8th July 2025) and the second planning report (dated 23rd January 2026):

¹ Policy HOU 34 is incorrectly referred to. The applicable policy is HOU 36, as confirmed in the Planning Authority's response to the appeal (see section 7.2 of my report below).

- There is no requirement for appropriate assessment or environmental impact assessment.
- There is no requirement for internal referral or statutory consultee referral.
- Principle of development is acceptable, having regard to zoning objective and policy provisions of section 13.8 of the County Development Plan pertaining to site, and noting the development comprises ancillary residential accommodation.
- Additional cross section drawings required to illustrate accurate floor and ground levels, levels and extents of upright structural posts.
 - Planning officer was satisfied that the cross sections submitted by way of Further Information provided sufficient clarity on ground levels and heights and provided a sufficient illustration extent and scale of the deck structure including structural supports.
- Report from suitably qualified person required to confirm structural stability of development and that it will not lead to erosion or instability of the inclined bank.
 - Planning officer was satisfied with Structural Assessment Report submitted by way of Further Information as it did not raise any concerns with the design or construction of the deck nor the ability of the slope to carry the load.
- Plan showing original curtilage of site required.
 - Planning officer was satisfied that plan submitted by way of Further Information clarified original and extended site area.
- Planning status of existing garden shed to be clarified.
 - Planning officer was satisfied on basis of Further Information submitted that the shed constitutes exempted development.
- No impact to neighbouring properties by way of overlooking, loss of light or dominance.

- No environmental impacts in terms of flood risk, water, wastewater or surface water.
- Folio maps and/or legal confirmation required regarding applicant's ownership of extended site curtilage or permission from landowner.
 - The planning officer was satisfied on the basis of the folio maps and legal letter submitted by way of Further Information that the extended curtilage was in the process of being added to the applicant's folio.
- Development is exempted from Development Contributions.
- Following receipt of Further Information, the planning officer remained concerned that the deck structure adversely impacts the visual amenities of the area, with reference to prominent views of the structure especially from River Court and across the Boyne River. Planning officer considered the structure would set undesirable precedents for similar type developments.

3.2.1. Other Technical Reports

None.

3.3. Prescribed Bodies

None.

3.4. Third Party Observations

1no. third party observation was received from Martin Lee raising the following matters:

- Concern that applicant continued construction of deck structure after enforcement proceedings initiated.
- Granting of retention permission would set a dangerous precedent.
- Concern at destabilisation of hillside as a result of the development.

4.0 Planning History

4.1. Subject Site

P.A Ref. 00/204 Permission REFUSED on 11th July 2001 for retention & modification to previously approved layout under P.A ref. 96/221 as amended by ref. nos. 98/041, 98/050 & 98/060. This application sought retention of various unauthorised works not completed in accordance with the relevant planning permissions. The planning officer's report for that application noted the following issues of relevance to the subject site:

- Rear gardens of houses at 'The Anchorage' are sub-standard in length and contrary to requirements for same specifically conditioned under ref. 96/221.
- Excessively steep gradient and lack of adequate retaining walls or drainage on lands to the rear of 'The Anchorage' to ensure subsidence does not occur and with that further reduction of already sub-standard gardens.

P.A. Ref. 98/041 Permission GRANTED on 5th May 1998 for change of house type & location for 2 detached houses, change of location for 8 detached houses.

P.A. Ref. 97/228 Permission GRANTED on 22nd February 1998 for change of house type to 8 detached houses.

P.A Ref. 96/221 Permission GRANTED on 24th September 1997 for residential development comprising 15no. houses, a block of 40no. apartments and 2no. tennis courts. This is the original permission for 'The Anchorage' and 'River Court' developments.

Enforcement

Enforcement ID ref. 22-U178 – the planning officer's initial report noted this as a live enforcement case relating to the works subject of this retention application.²

Section 5

P.A. Ref. 2025/49 – the planning officer's report on further information noted this Section 5 Declaration, which determined the development subject of this appeal to be "development and not exempt".³

4.2. Adjacent Lands to North – 'River Court'

² No further details available in planning officer's reports or on Planning Authority public databases.

³ No further details available in planning officer's reports or on Planning Authority public databases.

P.A Ref. 25/60166 Permission REFUSED on 19th May 2025 for construction of 2no. additional apartment blocks (20no. apartments) on undeveloped grasslands within the existing River Court complex. The refusal was in part due to unresolved residual issues at the existing River Court complex (e.g. wastewater infrastructure and open space quality) arising from unauthorised works carried out during construction of River Court development (see section 4.1 above).⁴

5.0 Policy Context

5.1 Louth County Development Plan 2021-2027 (as varied)

The appeal site and surrounding area is zoned **A1 Existing Residential**, with the objective *“To protect and enhance the amenity and character of existing residential communities.”*

The above (hereafter, ‘the County Development Plan’) includes the following relevant policies and objectives:

Section 3.16.2 Extensions to Dwellings

Policy Objective HOU 36: *To encourage sensitively designed extensions to existing dwellings which do not negatively impact on the environment, residential amenities, surrounding properties, or the local streetscape and are climate resilient.*⁵

Section 8.12.3 Views and Prospects of Special Amenity Value:

Table 8.16 includes the following view of relevance to the subject development:

- *VP53 – Views of the Boyne and the Loughboy Callows from Loughboy*

Section 13.8.9 Residential Amenity:

When considering a planning application for residential development, a separation distance of at least 16 metres

⁴ At the time of writing, this is the most recent planning application recorded at the River Court complex.

⁵ It is again highlighted that Policy HOU 36 is incorrectly referred to as Policy HOU 34 in the Planning Authority’s decision notice and reason for refusal.

between opposing windows serving habitable rooms at the rear or side of houses, duplex units and apartment units, above ground floor level shall be maintained.

5.4 Natural Heritage Designations

The nearest Natura 2000 European Sites to the appeal site are as follows:

- River Boyne and River Blackwater SAC (site code: 002299) c. 140m north of site.
- The Boyne Estuary SPA (site code: 004080) c. 2.9km east.
- Boyne Coast and Estuary SAC (site code: 001957) c. 4.1km east.
- River Boyne and River Blackwater SPA (site code: 004232) c. 1.9km west.
- River Nanny Estuary and Shore SPA (site code: 004158) c. 9km southeast.
- Clogher Head SAC (site code: 001459) c. 12.1km northeast.

The nearest proposed Natural Heritage Areas are as follows:

- Boyne River Islands pNHA (site code: 001862) c. 1.5km west.
- King William's Glen pNHA (site code: 001804) c. 3.4km west.
- Dowth Wetland pNHA (site code: 001861) c. 3.4km west.
- Boyne Coast and Estuary pNHA (site code: 001957) c. 4.1km west.

6.0 EIA Screening

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

7.0 The Appeal

7.1. Grounds of Appeal

A First Party Appeal was received from the applicant, Aidan Townley, against the decision made by the Planning Authority to refuse retention permission for the development.

The following is a summary of the grounds of appeal:

- Appellant highlights positive assessment of the development by the Planning Authority in relation to various issues.
- Reiterates their reasonable belief that the development was exempted at the time of construction.
- Notes that no issues in relation to visual amenity, environmental or structural issues were raised by the Planning Authority in issuing the Section 5 Declaration.
- Highlights their engagement and compliance with requirements of the planning application process to date, including addressing all elements of Further Information Request.

Visual Impact

- Considers that, while the subject decking structure may be visible, no negative visual impacts have been specifically identified by the Planning Authority.
- States that rear garden structures, terraces and balconies are commonplace in a stepped riverside residential context.
- Considers the transparent glazing finish of boundary significantly reduces visual massing.
- States that no scenic routes, protected views or designated visual receptors are affected. Photographic Evidence provided in support of this.

Residential Amenity and Character Impacts

- Considers that refusal of development on the basis of Policy HOU 36 of the County Development Plan is disproportionate and non-compliance with this policy should instead be addressed by condition.
- Indicates no evidence was provided that the proposal would result in dominance or loss of character.
- Considers the proposal aligns with the A1 zoning objective.

- Considers that proposal does not result in overlooking, loss of light or dominance over neighbouring properties, due to stepped topography, separation distances and boundary treatments.

Other Issues

- Considers no undesirable precedent would be set as subject structure is typical of other similar structures in the area. Photographic evidence provided in support.
- Notes that Structural Assessment Report submitted with Further Information considered that decking is structurally sufficient, does not impact slope stability nor increase erosion risk and does not alter surface water behaviour.

7.2. Planning Authority Response

The response from the Planning Authority notes the content of the first-party appeal. The Commission's attention is brought to the planner's reports on file and it is requested that the Commission support the Planning Authority's decision in this instance.

A typo in the planner's report and decision notice is identified whereby policy HOU 36 of the County Development Plan is erroneously referred to as policy HOU 34.

7.3. Observations

None.

7.4. Further Responses

None.

8.0 Assessment

- 8.1. Having examined the application details and all other documentation on file, including the grounds of appeal, the reports of the local authority, the site planning history, and having inspected the site, and having regard to relevant

local/regional/national policies and guidance, I consider that the main issues in this appeal are as follows:

- Principle of Development
- Visual Impact and Overbearance
- Impact on Adjoining Residential Amenities
- Stability of the Embankment
- Other Issues

8.2. Principle of Development

8.2.1. The appeal site and surrounding area are zoned A1 – Existing Residential. I consider that the development of an ancillary rear garden structure and extending the curtilage of a residential dwelling can be considered within this zoning, subject to meeting all other relevant planning standards, including impacts on residential amenities and character. I have considered these matters below.

8.3. Visual Impact and Overbearance

8.3.1. The Planning Authority's decision to refuse is on the basis that the development represents an unduly prominent and obtrusive feature in its urban landscape that detracts from the visual amenities of the area, contrary to policy HOU 36 of the County Development Plan. The planning officer's report makes specific reference to the prominent views of the structure from River Court and across the River Boyne.

8.3.2. In response to the refusal, the appellant argues that while the decking structure may indeed be visible, this does not correspond to negative visual impact and such impact has not been demonstrated by the Planning Authority. The appellant further notes that similar such domestic structures are commonplace in a stepped riverside residential context, with reference made to other structures in Drogheda which address the Boyne from elevation.

8.3.3. With regard to visual impact, I have had regard to the long views of the site across the River Boyne and the policy guidance of the County Development Plan regarding significant or protected views which may include the subject development. I have separately addressed short views of the development together with overbearance,

as both elements are of particular relevance to the adjacent River Court apartment complex.

Long Views

8.3.4. The appeal site is located within the built-up area of Drogheda, some 700m west of the historic town core. No significant features of built heritage are identified in the vicinity of the site. It is not within an Area of Outstanding Natural Beauty or Area of High Scenic Quality, nor located on any Scenic Routes, as identified on Maps 8.15 and 8.20 of the County Development Plan. I have reviewed the identified Views and Prospects for Drogheda as set out in Table 8.16 of the County Development Plan and consider that the following is relevance to the appeal site:

- VP53 – Views of the Boyne and the Loughboy Callows from Loughboy.

8.3.5. From my site observations, I do not consider that the subject development is prominently visible from the northern banks of the Boyne due to scale, design, position and distance of the structure. The structure is largely obscured from view by the River Court apartments complex. To the extent that it is visible, the structure reads as conforming with the rear property boundary line of the Anchorage in terms of projection and material finishes.

Short Views & Overbearance

8.3.6. I would highlight at the outset that the current County Development Plan does not identify any protected or otherwise significant views towards the appeal site from within the River Court complex. The complex benefits from a vista across the River Boyne to the north, however this is not impacted by the subject development.

8.3.7. The deck structure is visible from the access road to River Court at the base of the embankment. From my site inspection, I would consider that it is prominently visible only for a distance of some 20-30 metres of the along the access road directly downslope from the site. I note that the structure would also be clearly visible from the windows of some apartments at upper floor levels within three of the apartment blocks within the complex which are located directly downslope from the appeal site, and I consider that visibility from the other apartments in the complex would be partially or fully obscured due to the acute angle and natural topography of the slope.

- 8.3.8. The existing rear boundary reaches a maximum height of 1.7m above the height of the deck and is mostly comprised of a transparent glass balustrade. I consider that the height of the boundary is consistent with rear garden boundaries in the area and the use of materials is also sufficiently consistent and reduces visual prominence and overbearance. I do not consider that the small, exposed portion of the concrete support posts below the deck are clearly visible from the apartment complex or generally. I am therefore satisfied that any adverse visual impact or overbearance is minor in nature and is significantly offset by the structure's domestic scale and use of materials consistent with rear garden structures / boundaries in the area.
- 8.3.9. Overall, given the domestic scale of the subject structure, its design, extent and use of materials, and having regard to identified important views of the County Development Plan and the visibility of the structure from nearby residential properties, I am satisfied that the proposed development would not result in undue overbearance or adverse impacts on the visual amenities of the area.

8.4. Impact on Adjoining Residential Amenities

- 8.4.1. With regard to residential amenity, the Planning Authority planning officer's report does not consider that the development would give rise to adverse impacts on neighbouring properties by way of overlooking, overshadowing or overbearing impact. The appellant also states in the grounds of appeal that the proposal does not result in overlooking, loss of light or dominance over neighbouring properties, due to stepped topography, separation distances and boundary treatments.

Overlooking

- 8.4.2. I note that the rear garden of the appeal site and adjacent dwellings at The Anchorage overlook the River Court apartment blocks, which are located downslope from the appeal site. The subject deck structure projects c. 2m over the embankment to the rear at an elevated level and the rear boundary of the deck mostly comprises a glass balustrade which is transparent. I consider that these factors would increase the degree of overlooking of the apartment blocks.
- 8.4.3. In relation to overlooking, section 13.8.9 of the County Development Plan sets out that a minimum separation distance of 16m between opposing rear windows of residential dwellings is required to be maintained. I note that the River Court apartment blocks are a minimum of 30m distance from the rear site boundary,

therefore a sufficient separation distance to prevent overlooking is maintained even if the minimum distance is applied from the rear glass balustrade. Overlooking is also obscured by the steep topography of the embankment and significant difference in contours between the level of the deck and the River Court apartment units. I therefore concur with the appellant that the development would not result in significant overlooking.

Amenity Open Space

- 8.4.4. I note that the embankment to the rear of the site is not within the control or ownership of the applicant, with the exception of the small portion over which the deck structure has been constructed. The embankment forms part of the River Court apartment complex.
- 8.4.5. I note from review of the planning history for The Anchorage / River Court that the layout and extent of the embankment is at variance with what was originally permitted to be provided at this location. I also note from the Planning Authority's assessment of ref. 00/204 (see Planning History above) that enforcement proceedings were initiated at the time in relation to this matter and there was an unsuccessful attempt to resolve the issue through a retention planning application. I would however note that this issue is beyond the scope of my assessment of the subject appeal and the issues in question are not within the control of the applicant in this case.
- 8.4.6. My assessment has regard to embankment as it appears currently, and I do not consider that it constitutes a useable amenity open space serving the residents of River Court due to its steep topography and dense planting which render the area inaccessible. I therefore do not consider that development represents undue encroachment on amenity open space of the neighbouring apartment complex.

Summary

- 8.4.7. On this basis of the above, I do not consider that the subject development gives rise to adverse impact on existing residential amenities either by way of overlooking or encroachment on amenity open space.

8.5. Stability of Embankment

- 8.5.1. From my review of the application documentation (in particular the documents and drawings submitted as part of the Further Information response) and the planning history of the site and surrounding area, I have concerns regarding the information provided in relation to the stability of the embankment into which the deck structure is set, as detailed below.
- 8.5.2. The structural assessment report submitted as part of the Further Information response provides a description of the decking structure. The structure is supported at its southern end (i.e nearer to the dwelling and within the original garden curtilage) by a concrete plinth, while the northern end which overhangs the embankment is supported by a number of concrete posts each of which is set into a separate concrete base set beneath the existing ground level of the embankment.
- 8.5.3. The submitted report confirms that the deck structure was assessed for anticipated domestic vertical actions and was found to be acceptable. With regard to the embankment specifically, the report states that no additional load on the “upper section” of slope would arise as the ground profile below the decking has been retained at or below its pre-development profile.
- 8.5.4. The structural assessment report does not provide details or commentary on the load that the deck structure places on the embankment. As stated above, the northern end of the deck structure includes a number of concrete posts set into separate concrete bases within the embankment, as illustrated on the cross-section drawings provided with the Further Information response. Additionally, no details have been provided in relation to the soil excavation and any filling works required to accommodate the setting of the concrete bases. I note that the structural assessment report does not include an assessment of the baseline stability or erosion potential of the embankment, and that no site survey information regarding the ground and soil conditions of the embankment was submitted during the course of the application.
- 8.5.5. Given this lack of information, the degree of potential impact on the soil and ground conditions of the embankment as a result of the development is not clear to me.
- 8.5.6. In addition to the issue identified above, I note that other concerns at the stability of the embankment arise from my review of the planning history pertaining to the embankment and the River Court complex (discussed also under my assessment of

residential amenity above). I note from the Planning Authority's assessment of ref. 00/204 that the gradient of the embankment was considered excessively steep risking subsidence and drainage issues and that it was considered that a retaining wall should have been provided. The embankment is located on third party lands and I therefore consider that resolution of these issues is beyond the applicant's control. I highlight the issues for the Commission's attention to provide further context as to the baseline stability of the embankment.

8.5.7. I note the Planning Authority in their assessment of the applicant's response to Further Information Item 1 and the structural assessment report considered that the Further Information item had been satisfactorily responded to and noted the conclusions of the assessment report that no concerns were raised with the ability of the slope to carry the load. Given the absence of key information regarding baseline slope stability as set out above, I do not agree that the response to Item 1 satisfactorily demonstrated that the development would not lead to issues with the inclined bank in terms of erosion or instability, per the wording of the item.

8.5.8. In conclusion, having regard to the level of information provided regarding baseline stability of the embankment, I am not satisfied that the applicant has clearly demonstrated that the embankment in its current form is sufficient to continue supporting the deck structure. In the absence of such information, I cannot carry out a full assessment and permission for retention should therefore be refused on this basis.

8.5.9. While the issue of stability of the embankment was not specifically raised in the reason for refusal or grounds of appeal, I do not consider that it constitutes a 'New Issue' given that the issue of structural stability was raised in the Planning Authority's request for Further Information. However, as this is a substantive issue in my assessment and I am recommending refusal on the basis of the issue, the Commission may wish to consider this as a new issue and may wish to seek the views of the parties.

8.6. Other Issues

Precedent

8.6.1. The Planning Authority's decision to refuse states that the proposed development would set an undesirable precedent for similar such developments within the vicinity.

In the grounds of appeal, the appellant contends that no undesirable precedent would be set as the subject structure is typical of other similar structures in the area. Based on my site observations and having regard to the photographs of similar structures in the area submitted by the appellant, I consider that the projecting deck structures with glass balustrade is consistent with other similar developments in the locality which address the river from elevation. In any event, my assessment has considered the subject proposal on its own merits having regard to the sensitivity of the receiving environment and the specifics of the development.

9.0 AA Screening

9.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000, as amended. The subject site is located within the built-up and serviced urban area and is c. 130 metres from the River Boyne and River Blackwater SAC. The proposed development comprises the conversion and change of use of the existing office building to provide a 2-bedroom house. It includes minor associated works and connection to existing water services. No nature conservation concerns were raised in the planning application or appeal.

9.2. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no likely risk to any European Site. The reason for this conclusion is as follows:

- The simple nature and limited scale of the proposed works.
- The distance from the nearest European site and lack of connections.
- The development does not give rise to surface water or wastewater discharge.
- The deck structure is mounted on and set into the adjacent embankment, however no direct potential impact mechanisms arise.
- The outcome of the screening report/determination by Louth County Council.

9.3. I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on the River Boyne and River Blackwater SAC or any European Site, either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate

Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Water Framework Directive

10.1. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

10.2. The reason for this conclusion is as follows:

- Nature of the project, site and receiving environment
- Location-distance from nearest water bodies and/or lack of hydrological connections.
- The likely limited extent and duration of any erosion / subsidence of the embankment.
- The unlikelihood of significant pollutants or sediments to occur from changes to the drainage profile of the embankment given the existing residential uses in the host area.

10.3. On the basis of objective information, I consider that the proposed development will not result in a likely risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

11.0 Recommendation

11.1. I recommend that permission for retention be refused for the reasons and considerations set out below:

12.0 Reasons and Considerations

The Commission is not satisfied on the basis of the information submitted that it has been clearly demonstrated that the decking area and extended site area to be retained will not have a detrimental impact on the stability of the existing embankment and its ability to support the decking to be retained. On this basis, permission for retention should be refused.

“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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.”

Shane McGlynn
Planning Inspector

19th May 2026

Appendix 1
Form 1 - EIA Pre-Screening

An Bord Pleanála Case Reference	PL-500838-LH-26		
Proposed Development Summary	Retention of decking area and alterations to site boundary		
Development Address	08 The Anchorage, Rathmullen Road, Drogheda, County Louth		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)	Yes	✓	
	No		
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	✓		Proceed to Q3.
No			
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			
No	✓	10(b)(iv)	Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	✓	10 (b)(iv): Urban Development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.	Preliminary examination required (Form 2)
Has Schedule 7A information been submitted?			

No	✓	Screening determination remains as above (Q1 to Q4)
Yes		

Inspector: _____

Date: _____

Appendix 2
Form 2 - EIA Preliminary Examination

Case Reference	PL-500838-LH-26
Proposed Development Summary	
Development Address	08 The Anchorage, Rathmullen Road, Drogheda, County Louth
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The proposed development comprises retention of an existing rear decking structure and alterations to layout and site boundary. The proposed development will not give rise to the production of significant waste, emissions or pollutants.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	The development is located in an urban area. The site is c. 130m from a European Site. Following screening for Appropriate Assessment, it has been ascertained that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Given the scale and nature of development there will be no significant environmental effects arising.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment.
Conclusion	

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

Inspector: _____ Date: _____
DP/ADP: _____ Date: _____
(only where Schedule 7A information or EIAR required)