



An
Coimisiún
Pleanála

Inspector's Report

PL-500970-LH-26

Development

Permission for the demolition of existing buildings for a new unmanned service station development and all site works.

Location

Donore Road, Drogheda, Co. Louth

Planning Authority

Louth County Council

Planning Authority Reg. Ref.

2560825

Applicant(s)

Luke Farrell

Type of Application

Permission

Planning Authority Decision

Refuse Permission

Type of Appeal

First Party Normal Planning Appeal

Appellant(s)

Luke Farrell

Observer(s)

Áine McKeown and Barry Morgan

Date of Site Inspection

25th of May 2026

Inspector

Darragh Ryan

1.0 Site Location and Description

- 1.1. The site is situated on the southern side of Donore Road, approximately 780 meters southwest of Drogheda town centre and 1.7 kilometers northeast of the M1 Motorway at Junction 9. It is currently unused, with outbuildings and sheds in various states of disrepair. The site features an existing access point in the northwest corner and is surrounded by extensive vegetation and overgrowth along the northern boundary. Slightly elevated above the public road, the site is generally square shaped and topographically flat. The surrounding area is predominantly residential, with estates such as Cherrymount and Hillbrook Drive located to the east, west, and south, whose rear gardens share boundaries with the site. To the north, the site is bordered by Donore Road, with additional residential developments located on the opposite side. The stated site area is stated at 0.0843ha.

2.0 Proposed Development

- 2.1. The proposal involves the development of an unmanned service station on a brownfield site located on the southern side of Donore Road in Drogheda. The project includes the demolition of existing buildings and the construction of a service station with three fuel dispensers/islands, a forecourt canopy, an underground tank farm with interceptors, and two entrances/exits designed for one-way circulation. Additional features include a freestanding totem sign, a plant/storage structure, forecourt signage, lighting, landscaping, and associated site development works. The station will operate without a convenience retail store, focusing solely on fuel related trade. Landscaping will be implemented along the site's boundaries to screen the development from nearby residential properties.

3.0 Planning Authority Decision

- 3.1. **The planning authority issued a Decision to refuse permission for three reasons as follows:**

1. The proposed primary vehicular exit requires traffic emerging from the site and turning eastbound to traverse a designated ghost-island marking on the L-1003-135 Donore Road. This arrangement presents a significant traffic safety hazard. The Planning Authority is not satisfied that the proposed layout would operate safely, nor that adequate measures have been incorporated to avoid conflicting traffic movements. Accordingly, the proposed development would endanger public safety by reason of traffic hazard and by causing obstruction to other road users.
2. The submitted drawings indicate that third party lands to the east of the site are set back approximately 3 metres from the road edge. However, a site inspection confirmed that the distance from the road edge to the rear of the existing footpath was measured at 1.9 metres. Achieving the setback illustrated on submitted drawing P2465.C03 would therefore necessitate substantial site clearance and works on lands outside the applicant's ownership.

No legal agreement, letter of consent, or other documentary evidence has been provided from the relevant third party landowner(s). The applicant has therefore failed to demonstrate sufficient legal interest or the necessary consent to carry out the proposed works. The applicant has therefore failed to demonstrate that they have sufficient legal interest or consent to carry out the proposed works.
3. The applicant has not submitted site specific infiltration test results to demonstrate whether the proposed surface water disposal method is suitable, as such, the applicant has failed to comply with Policy IU 19 of the Louth County Development Plan 2021–2027, as varied, which requires the provision of a fully integrated Sustainable Drainage System (SuDS) designed in accordance with the most recent edition of the Dublin City Council SuDS Design & Evaluation Guide.

3.2. Planning Authority Reports

3.2.1. There is a single Planning Report on file which can be summarised as follows:

- Having regard to the provisions of Section 13.21.2.3 and the advice provided at pre-planning, the acceptability of the principle is therefore tied to the impact on the development on residential communities. Following a careful assessment of the information currently before the Planning Authority, the applicant has demonstrated that the proposed development will not have an adverse impact on the amenities of the existing residential properties. The principle of development is therefore considered acceptable.
- The scale and form of the proposal is considered to align with contemporary standards in forecourt design. The overall height, materials, and layout are consistent with similar small-scale filling stations found in suburban and urban edge locations. The design and layout are therefore considered acceptable.
- Having reviewed the submitted Noise Impact Assessment, including the baseline survey, predictive modelling and Noise Management Plan, it is considered that the proposed development will comply with the applicable NG4 noise criteria. Predicted noise emissions will remain within acceptable limits at all sensitive receptors, and appropriate operational controls are proposed to manage any atypical noise events. It is therefore not considered that the proposed development will have an adverse impact on the residential amenities of neighbouring dwellings from a noise perspective.
- Having reviewed the submitted Lighting Impact Assessment, it is considered that the proposed lighting design has been appropriately developed in accordance with recognised standards and best-practice guidance. The analysis demonstrates that the lighting will be effectively contained within the site, with minimal spill, glare or nuisance. Accordingly, it is not considered that the proposed development will have an adverse impact on the residential amenities of neighbouring dwellings.
- The physical and functional characteristics of the development, in conjunction with the site's topography, ensure that there will be no unacceptable degree of overlooking or adverse impact on residential amenity.

- The Place Making and Physical Development Section's assessment of the submitted information, including the proposed site layout and vehicular access arrangements, has identified significant and unresolved traffic safety concerns. In particular, the requirement for vehicles exiting the site to traverse an existing designated ghost-island marking on the L-1003-135 Donore Road gives rise to unsafe conflicting traffic movements and an undue risk to public safety. Furthermore, deficiencies in the submitted drawings relating to third-party lands and the absence of verifiable consent underscore the lack of certainty regarding the deliverability of the proposed access design.
- The applicant has not submitted site-specific infiltration test results to demonstrate whether the proposed surface-water disposal method is suitable for the site conditions. In the absence of such information, the Planning Authority cannot be satisfied that the proposed drainage design is appropriate or that it would function effectively without creating a risk of surface-water flooding or inadequate attenuation on site. Policy IU 19 of the Louth County Development Plan 2021–2027 requires that all new developments incorporate a fully integrated Sustainable Drainage System (SuDS), designed in accordance with the most recent edition of the Dublin City Council SuDS Design & Evaluation Guide. The failure to provide infiltration testing and corresponding SuDS design details represents a material omission in the planning application.

3.2.2. Other Technical Reports

- Waste & Environment – no objection conditions are recommended.
- Placemaking & Physical Development recommend refusal reasons that directly correlate with the primary reasons for refusal as cited under Section 3.1 above.

3.3. **Prescribed Bodies**

Department of Housing, Local Government and Heritage

Nothing of archaeological significance was found on the site of the proposed development and the site contains no Recorded Monuments. The Department

recommends that no further archaeological assessment is required in relation to this proposed development

3.4. **Third Party Observations**

10 submissions were received in relation to this application. The material consideration raised by the submission are contained within the following themes:

- Traffic Congestion, Road Safety and Vehicular Movements

Residents consistently raise concerns that the development would exacerbate existing traffic congestion on Donore Road, which is already heavily trafficked, particularly at peak times and during school drop-off and collection periods.

Concerns include increased turning movements, queueing vehicles, obstruction of residential access, HGV manoeuvrability, and general traffic hazard. Several submissions also state that the applicant's Traffic and Transport Assessment was undertaken on a non-representative date and does not reflect actual traffic conditions.

- Pedestrian and Child Safety

Submitters emphasise the risks posed to pedestrians, particularly children, due to the nearby Marymount National School, the existing pedestrian crossing, and narrow heavily used footpaths. Concerns include reduced visibility arising from the proposed filter lane, increased conflicts between vehicles and pedestrians, and heightened danger at a location already experiencing safety issues.

- Noise, Light and General Residential Amenity

Many residents express concern that a 24-hour unmanned service station would lead to significant noise disturbance from engines, acceleration, deliveries, and customer behaviour at night. Light pollution and glare, particularly from canopy lighting, totem signage, and vehicle headlights, are also cited as detrimental to sleep, privacy, and the enjoyment of gardens and living spaces.

- Antisocial Behaviour and Lack of On-Site Oversight

Multiple submissions highlight fear of antisocial behaviour, loitering, nuisance activity, and inadequate supervision associated with an unmanned, round-the-clock facility. Concerns include delayed response times in emergencies and the potential for vandalism or criminal activity.

- Environmental Risks, Fuel Storage and Ground Contamination

Submitters cite the risks posed by underground fuel tanks and interceptors, including potential leaks, soil contamination, fumes, and fire hazards, particularly given the proximity to dwellings. Some residents express fear about health implications and environmental impacts.

- Zoning and Policy Compliance

Several submissions contend that the site is zoned A1 – Existing Residential, and therefore a commercial service station is incompatible with the zoning objective to protect residential amenities. Others assert that the proposal conflicts with Development Plan policies relating to climate action, sustainable transport, and the protection of residential character.

- Overprovision/ Lack of Need

Some residents argue that the area already contains several existing petrol stations, including those on Donore Road, the M1, and nearby local roads, and that no demonstrable planning need has been identified to justify an additional facility.

- Construction-Phase Impacts

One detailed submission highlights concerns regarding demolition noise, excavation, vibration, dust, potential property impacts, and prolonged construction activity directly adjoining rear gardens.

- Accuracy and Adequacy of Submitted Documentation

Concerns were raised about the accuracy of photo-montages and drawings (e.g.,

omission of nearby houses), the representativeness of the traffic survey date, and the placement of the statutory newspaper notice in a newspaper not typically used by local residents.

- Childhood Safety and Family Well-Being

Some residents, particularly those with young children, express general fear for their children's safety due to increased traffic, antisocial behaviour, and night-time activity, emphasising the unsuitability of such a commercial use within a residential environment

4.0 Planning History

- PA Reg Ref. 2560210 Permission for demolition of existing buildings for a new unmanned service station development containing 3no. fuel dispensers/islands, forecourt canopy, underground tank farm and interceptors, 2no. entrances/exits for one way circulation, 1no. new freestanding totem, 1no plant/storage structure, forecourt signage, and all associated site development, lighting, and landscaping works. Withdrawn at Clarification of Further Information Stage.
- PA Reg. Ref. 00510102: Permission was granted on 5th December 2000 for the construction of four townhouses, comprising two 2-bedroom and two 3-bedroom units, together with all associated site works.
- PA Reg. Ref. 05510196 / Appeal Ref. PL.54.220608: Permission was refused on appeal by An Bord Pleanála on 24th October 2006 for a proposed revision to the previously approved development (Reg. Ref. 00/102). The revised proposal sought to increase the number of units from four townhouses to eight apartments in a three-storey block, comprising four 1-bedroom ground floor apartments and four 2-bedroom duplex units at first and second floor levels. The proposal also included revised vehicular entrance gates, 11 car parking spaces, and associated site works and boundary treatments.
- PA Reg. Ref. 08510089: This application was withdrawn following a Request for Further Information. The proposal involved the construction of a part 2-storey and

part 3- storey apartment building containing 7 units, with a total gross floor area of 499 sq.m. The unit mix included three 1-bedroom ground floor apartments, one 2-bedroom duplex unit over ground and first floors, and three 2-bedroom duplex units over the first and second floors. The development also included balconies at first and second floor levels, revised vehicular entrance gates, 10 car parking spaces, associated site works, and boundary treatment on a site area of 0.084 hectares

5.0 Policy Context

5.1. Louth County Development Plan 2021 – 2027

- 5.1.1. The Louth County Development Plan 2021-2027 (as varied) is the operation plan for the area. The land use zoning is A1 'Existing Residential', the zoning objective for which is 'To protect and enhance the amenity and character of existing residential communities'

Generally Permitted Use: Allotments, B&B/ Guest House, Community Facility, E-Charging Facility, Home Based Economic Activities, Nursing Home, Park/Playgrounds, Place of Worship, Recreational/Amenity Open Space, Recreational /Sports Facility, Residential, Residential Institution, Retirement Village, Sheltered Accommodation, Traveller Accommodation, Utilities.

Open for Consideration: Coffee Shop/Tea Room, Childcare Facility, Healthcare Practitioner, Restaurant, Shop ≤200m², Telecommunications Structures, Veterinary Surgery.

5.1.2. 13.14.5 Service Stations and Retailing

Service Stations will be considered on appropriately zoned lands compatible with surrounding land uses where a safe access can be achieved and there would be no adverse impact created on the amenities of surrounding properties. They will generally not be encouraged within the core retail area of urban centres or in the open countryside. Convenience shops are part of the normal ancillary services provided within Service Stations.

In smaller settlements, they can have a very important function as the local shop or

small supermarket. In accordance with the Retail Planning Guidelines, the net floorspace of the shop should not be in excess of 100m². Where permission in excess of 100m² net floorspace is sought, the sequential approach shall apply. Minimal advertising will be permitted at Service Stations and generally shall be restricted to a single main pillar/totem pole sign structure. Canopies should be appropriate to their setting in terms of height and design. Internal illumination of lighting shall preferably be in the form of individual backlit letters. Proposals for online or off-line motorway service facilities will be assessed in accordance with the guidance set out in the Spatial Planning and National Roads Guidelines for Planning Authorities, DECLG (2012).

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

5.2. Relevant National or Regional Policy / Ministerial Guidelines (where relevant)

The Regional Spatial and Economic Strategy (RSES) 2019-2031

The RSES was adopted on the 28th June 2019. The RSES is a strategic plan which “identifies regional assets, opportunities and pressures and provides appropriate policy responses in the form of Regional Policy Objectives.”

Drogheda is identified as a Regional Growth Centre within which growth will be targeted as one of the three regional drivers. The RSES define regional growth centres as “large towns with a high level of sustaining employment and services that act as regional economic drivers and play a significant role for a wide catchment area”.

With regard to employment, Regional Policy Objective RPO 4.18: is relevant where it states ‘Enhance Drogheda’s role as a strategic employment centres on the Dublin-Belfast Economic Corridor and provide for employment opportunities through identification of suitable sites for new industry including FDI’.

The proposed development is consistent with the policies and objectives of the

RSES through providing sequential urban growth, enabling people to live closer to employment and supporting Drogheda as a growth centre. The development will provide co-ordinated development of zoned land within the existing built footprint of Drogheda.

5.3. Natural Heritage Designations

The River Boyne and River Blackwater SAC (Site Code: 002299),

The River Boyne and River Blackwater SPA (Site Code: 004232),

The Boyne Estuary SPA (Site Code: 004080).

6.0 EIA Screening

- 6.1. 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. **This is a first party appeal against the decision of Louth County Council to refuse permission. The Grounds of Appeal directly address the reasons for refusal and can be summarised as follows:**

7.1.1. Refusal Reason 1

The Councils reason to refuse states a “Significant Traffic Safety Hazard” in relation eastbound, right turning movements traversing the proposed ghost island. Taking this point into consideration the applicant have redesigned the ghost island markings to ‘make the eastbound’, right turn movement clearer to the road user. There are no National Road or Traffic Guidelines that prohibit the traversing of ghost islands to make right turns. There are several ghost islands in the Louth area that accommodate right turn movements in Appendix A. These crossings are located on

Regional Road with much higher volumes of traffic than would be expected on the Donore Road.

As part of the appeal the applicant has provided a Traffic and Transport Assessment on the adjacent western junction and an independent Road Safety Audit (Stage 1 and Stage 2) were carried out on site traffic movements. The design was amended to address problems identified within Road Safety Audit. The road safety audit did not raise concerns regarding the right turning movement for existing the site onto the Donroe Road L1003-135.

7.1.2. Refusal Reason 2

There was a slight discrepancy between the original topographical survey and the back of the existing footpath was not surveyed due to the overhead foliage. The existing footpath was shown extended to the neighbouring boundary line as shown on the OS Map. There are no proposals to carry out any works on third party lands. Any works required along the existing footpath will be requested under a road opening licence. There is therefore no requirement to obtain consent to carry out the proposed works from any third party. The applicant has submitted revised drawings with correct dimensions.

7.1.3. Refusal Reason 3

It is put forward that Louth County Council misinterpreted the stormwater disposal strategy. The proposal is to capture and store all stormwater in a sealed stormwater attenuation tank prior to discharge the existing stormwater public sewer. The applicant has never put forward any infiltration proposals as indicated by Louth County Council therefore to refuse permission based on the failure to provide infiltration testing is not justified. The applicant has provided a design of the surface water drainage system which includes flow rates that indicates run-off will be equivalent to greenfield pre-development intensities.

7.2. Planning Authority Response

- None

7.3. Observations

There is a single observation on file. The issues raised can be summarised as follows:

7.3.1. Traffic Safety and Accessibility

The proposed primary vehicular exit onto Donroe Road, incorporating a ghost -isalnd right turn facility, would give rise to significant traffic conflict. The arrangement necessitates complex vehicular movements in constrained road environment.

The traffic and transport assessment is fundamentally deficient. The survey does not capture peak traffic conditions on a Friday and weekend traffic flows which are materially higher due to commuter patterns and regional movements.

The proposed access arrangements for larger vehicles including HGV's would require turning manoeuvres that encroach into opposing traffic lanes, particular for vehicles accessing the M1 corridor.

The proposal would impact upon an established pedestrian crossing point serving a nearby school thereby undermining pedestrian safety and contravening the principles of sustainable transport and road safety.

7.3.2. Third Party Land

The submitted drawings indicate that critical elements of the development, including visibility splays and/or road boundary modifications, extend approximately 3 meters beyond the applicants red line boundary onto third-party lands. Drawings indicate works extending beyond the applicants control onto third-party lands without consent, or wayleave agreements from the relevant landowners. Permission should not be granted where delivery of development is not demonstrated.

7.3.3. Surface Water and SUDs

In the absence of infiltration testing, the feasibility of SUDs measures cannot be verified.

7.3.4. Residential Amenity

The proposed development is located within a predominantly residential area characterised by established housing and community uses. The introduction of an unmanned fuelling station represents and incongruous land use in this context. The

photomontages and submitted drawings materially underrepresent the residential character of the area and fail to adequately assess the visual and environmental impacts of the development.

7.3.5. Climate policy

The proposed development is at odds with the climate action and sustainability objectives of the Louth County Development Plan in particular Policy Objective CA1 and CA2 which seeks to provide climate mitigation and reduce greenhouse gas emissions, in addition to the promotion of sustainable transport and reduction in reliance on fossil fuel infrastructure.

The applicant has not demonstrated an overriding need for the development particularly given the existing availability of fuelling facilities in the wider Drogheda area. The proposal is unnecessary and inappropriate development that undermine climate policy objectives.

7.4. Planning Authority Response

- The executive engineer of Louth County Council submitted a response to the appeal on behalf of planning authority:

The existing ghost island on Donore Road provides a protected right-turning facilities for both the Ballsgrove and Marian Park residential estates located immediately east of the site. The proposed alterations to the ghost island does not comply with TII publication Dn- GEO-03060. In this regard the refusal reason should be upheld.

The applicant has not addressed the issue of sightline to the west- although the drawings have been amended in order to achieve sightlines the applicant is required to carry out works to third party boundaries.

The issue of SUDs has not been resolved, the applicant is required to comply with Policy IU 19 of the Louth County Development Plan 2021 -2027 and site specific infiltration testing is required to comply with SuDS. Suds requires a hierarchy of infiltration, attenuation and restricted discharge. The applicant has provided no justification for bypassing the required infiltration -led approach.

8.0 Assessment

- 8.1. Having examined the application details and all other documentation on file, including the appeal, and having inspected the site and having regard to the relevant national and local policy guidance, I consider the main issues in relation to this appeal are as follows:

8.2. Principle of Development

- 8.2.1. The proposed development comprises the demolition of existing structures on a brownfield site and the construction of an unmanned service station on the southern side of Donore Road, Drogheda. The development includes three fuel dispensing islands, a forecourt canopy, underground fuel storage tanks and associated interceptors, two vehicular entrances/exits operating on a one-way circulation system, a freestanding totem sign, plant and storage facilities, forecourt signage, lighting, landscaping and all associated site development works. The proposal does not include a convenience retail element and is intended solely for the sale of fuel products. Boundary landscaping is proposed in order to provide screening from adjoining residential properties.
- 8.2.2. I note that observers have raised concerns regarding the principle of the proposed development, submitting that a service station is not an appropriate use within an established residential area. It is further argued that the proposal is inconsistent with climate action objectives contained within the Louth County Development Plan and would introduce a commercial use that is incompatible with the prevailing residential character of the area.
- 8.2.3. The application site is zoned A1 Residential under the Louth County Development Plan, with the stated objective: "To protect and enhance the amenity and character of existing residential communities." I note that a service station is not identified within the Development Plan as either a use that is generally permitted in principle or one that is open for consideration within the A1 zoning objective. In assessing the application, the Planning Authority relied upon Section 13.21.2.3 of the Development Plan, which addresses uses that are not specifically listed under a zoning objective. The Development Plan states:

"Where this arises such proposals will be considered on their individual merits taking account of surrounding land uses, the compatibility of the use/development in the area in which it is proposed to locate, compliance with the relevant policy objectives, standards and requirements as set out in this Plan, and the general proper planning and sustainable development of the area."

The Planning Authority concluded that the proposed service station would not adversely affect the amenities of neighbouring residential properties and therefore considered the proposal acceptable in principle.

- 8.2.4. I have also had regard to Section 13.14.5 of the Development Plan relating to Service Stations and Retailing. This section states that service stations will be considered on appropriately zoned lands where they are compatible with surrounding land uses, where safe access can be achieved and where no adverse impact would arise on the amenities of surrounding properties.
- 8.2.5. While I acknowledge that the site comprises previously developed lands and that the proposal incorporates measures to address visual impact and residential amenity, I do not agree with the Planning Authority's conclusion regarding the acceptability of the proposed use in this location. In my opinion, the proposed service station would represent an incongruous form of development within this established residential area. The site is a small infill site of 0.0843ha. The surrounding area is characterised almost exclusively by residential development and the zoning pattern along this section of Donore Road is overwhelmingly residential in nature. There are General Employment Zoned lands further east of the site.
- 8.2.6. Furthermore, the site is relatively constrained in size (864sqm) and occupies a position within a predominantly suburban residential environment. In my view, the lands are more appropriately suited to a form of development that is compatible with the established residential character of the area, including potential residential infill development. By contrast, a service station is a destination-based commercial use which is intended to attract a significant volume of vehicular traffic throughout the day and evening and introduces an activity level that differs materially from the prevailing pattern of development in the locality. I further note that the applicant has not demonstrated any locational requirement for a service station at this particular

site, nor has evidence been provided to indicate a deficiency in fuel service provision within Drogheda that would justify the introduction of such a use within an established residential neighbourhood. While such evidence would not be determinative, it would assist in demonstrating why a use not envisaged under the zoning objective should be considered acceptable in this instance.

- 8.2.7. Having regard to the provisions of Section 13.21.2.3 of the Development Plan, I am not satisfied that the applicant has demonstrated that the proposed development is compatible with surrounding land uses or that it would integrate appropriately with the established character of the area. In my view, the proposal would introduce a commercial use that is at variance with the residential zoning objective and would fail to respect the prevailing character of this suburban neighbourhood.
- 8.2.8. Furthermore, I note the third-party observer has raised concerns that the proposal is contrary to Louth County Councils Climate Action Policies and to permit the development in this instance would be contrary to wider Climate Action Policies at Local and National Level. I note Policy Objective CA2 of the Louth County Development plan sets out to promote sustainable transport and to reduce reliance on fossil fuel infrastructure. In this regard, I consider the above objective aspirational rather than setting a specific objective. However, I do consider that the applicant should provide a justification for the proposed development at this location. The site is in a largely residential area and while there is no strict prohibition with providing a service station in such areas it is in practice a non-conforming use. The provision of a new service station for fossil fuels when there are existing services in the town and environs would in my view not be compatible with wider climate policies. While a refusal of permission based on Climate Action policies may not be required in this instance, I do consider that it would be appropriate provide an adequate justification for the development having regard to the existing numbers of service stations in the Drogheda, in addition to wider Climate Change objectives.

Accordingly, I consider that the principle of the proposed development is not acceptable and is contrary to the proper planning and sustainable development of the area.

8.3. Traffic and Transportation

- 8.3.1. The Planning Authority refused permission on the grounds that the proposed primary vehicular exit would require vehicles emerging from the site and turning eastbound onto the L1003-135 Donore Road to traverse a designated ghost-island road marking. It was considered that this arrangement would give rise to a significant traffic safety hazard and that the proposed layout had not adequately addressed the potential for conflicting traffic movements.
- 8.3.2. In response, the applicant has submitted revised drawings which propose amendments to the existing road markings, including the removal and reconfiguration of the ghost-island arrangement to facilitate right-turn movements into and out of the site. The applicant contends that there is no prohibition within national road design standards or traffic management guidance preventing the crossing of ghost-island markings and has provided examples of similar arrangements elsewhere within County Louth. A Traffic and Transport Assessment (TTA) and Stage 1 and Stage 2 Road Safety Audits (RSA) have also been submitted in support of the appeal.
- 8.3.3. Third-party submissions challenge the adequacy of the TTA, arguing that the traffic surveys do not adequately capture peak traffic conditions, particularly Friday and weekend traffic flows, and that the assessment fails to consider the operational impacts of larger vehicles, including HGVs, accessing and exiting the site. Concern is also expressed regarding the proximity of the proposed access arrangements to an established pedestrian crossing point and the potential adverse implications for pedestrian safety.
- 8.3.4. Chapter 7 of the Louth County Development Plan 2021–2027 addresses movement and transport. Policy Objective MOV 47 requires the preparation of Traffic and Transport Assessments in accordance with the requirements of the TII Traffic and Transport Assessment Guidelines. Section 7.3.2 of the Plan further requires that development proposals be assessed having regard to the Spatial Planning and National Roads Guidelines for Planning Authorities and the need to ensure that road safety is protected.
- 8.3.5. I have considered the Traffic and Transport Assessment submitted by the applicant as part of the appeal. The assessment examines existing and projected traffic

volumes on the Donore Road and evaluates the operational performance of the proposed site access junction during the AM and PM peak periods. The assessment concludes that the proposed development would not be a significant traffic generator and would not materially affect the operational capacity of the local road network. I accept the findings of the Traffic and Transport Assessment insofar as they relate to traffic generation, traffic distribution and junction capacity. The evidence submitted indicates that the volume of traffic associated with the proposed development would be relatively modest and would not, in itself, give rise to unacceptable impacts on the operation of the Donore Road.

- 8.3.6. However, the principal issue raised by the Planning Authority does not relate to traffic capacity or traffic generation. Rather, the concern relates to the safety implications of the proposed vehicular access arrangement, specifically the requirement for vehicles exiting the site and turning eastbound to traverse the existing ghost-island road markings and the consequential alterations proposed to the existing road layout. The Traffic and Transport Assessment does not assess these road safety issues. While it provides an analysis of traffic volumes and junction operation, it does not evaluate the safety implications of right-turn movements exiting the site, the interaction of such movements with existing traffic flows, or the potential effects of altering the existing road markings on the overall safety function of the road corridor. Accordingly, I do not consider that the Traffic and Transport Assessment addresses the substantive concern underpinning the Planning Authority's reason for refusal.
- 8.3.7. I have also considered the Stage 1 and Stage 2 Road Safety Audits submitted by the applicant. The Stage 1 Audit identified concerns relating to right-turning vehicles entering the forecourt from the Donore Road and potential conflicts between emerging vehicles and pedestrians using the public footpath. The Stage 2 Audit identified issues relating to dropped kerb arrangements and the provision of tactile paving for visually impaired road users. Mitigation measures have been proposed in response to each of these matters.
- 8.3.8. Notwithstanding the above, I note that neither Road Safety Audit undertakes a comprehensive assessment of the broader implications arising from the proposed removal and reconfiguration of the existing ghost-island road markings. While the

audits identify site-specific safety concerns associated with the proposed filling station access, they do not adequately examine the role and function of the existing road markings within the wider road environment or assess the potential consequences for road users arising from their alteration.

- 8.3.9. The applicant proposes to remove and redesign the existing ghost-island markings in order to facilitate right-turn movements associated with the development. While examples of similar arrangements elsewhere in County Louth have been submitted, I am not satisfied that these examples demonstrate that the proposed arrangement would be appropriate in the specific circumstances of this site. The evidence before me does not adequately assess the purpose of the existing road markings or demonstrate that their removal and replacement would not adversely affect the safety of the public road network.
- 8.3.10. The existing ghost-island arrangement appears to perform a wider traffic management and road safety function on this section of the Donore Road. The markings are associated with a traffic island and keep-left bollard and appear intended to regulate vehicle movements, discourage overtaking manoeuvres and provide a degree of protection for pedestrian movements associated with nearby residential development. The applicant proposes substantial modification of these markings primarily to facilitate right-turn access to and from the development. While examples of ghost-island crossings elsewhere in the county have been provided, I am not satisfied that these examples are directly comparable to the specific characteristics of the appeal site, including its relationship to nearby residential accesses, estate entrances and pedestrian activity. Furthermore, no detailed assessment has been submitted to demonstrate that the proposed alteration of the existing road layout would not adversely affect the safety function currently performed by the road markings. I note subsequent report from County Council engineer in relation to this proposal. The Ghost island junction is intended to offer right turning vehicles a degree of protection while maintaining the free flow of through traffic on major roads. Detailed requirements for their design, layout and application are contained in relevant standards including TII publication DN-GEO-03060 – Geometric design of junctions. The proposed alterations to the ghost island do not comply with these standards.

8.3.11. The proposed right- turn pocket has an effective storage length of only 8m which is sufficient at most for two cars. This length is inadequate to accommodate a single HGV, which would inevitably extend onto the ghost island. Only 9m remains before queues obstruct the proposed site exit, which may result in unplanned or abrupt left hand turning movements. The ghost island fails to provide the necessary visual guidance and the junction environment becomes unpredictable and misleading. The proposal gives rise to misinterpretation of road markings, sudden manoeuvres and traffic conflicts.

8.3.12. The evidence submitted focuses primarily on the operational requirements of the proposed development rather than the wider road safety implications for all road users. In particular, insufficient consideration has been given to the potential impacts on pedestrian safety, vulnerable road users and existing traffic movements along this section of the Donore Road. I am therefore not satisfied, on the basis of the information before me, that the proposed development would not result in an increased risk to road users or that the proposed mitigation measures adequately address the concerns identified by the Planning Authority.

8.3.13. Having regard to:

- The proposed alteration of the existing road marking arrangement to facilitate right-turn movements associated with the development;
- The proximity of the proposed access arrangements to residential accesses, estate entrances and pedestrian activity;
- The absence of a comprehensive assessment of the wider road safety implications arising from the proposed reconfiguration of the road layout;
- Policy Objective MOV 47 of the Louth County Development Plan 2021–2027;
- The requirements of Chapter 7 (Movement) of the Louth County Development Plan 2021–2027;
- The need to safeguard road safety and protect the carrying function of the local road network;

I am not satisfied that the applicant has demonstrated that the proposed development would not give rise to adverse road safety impacts. Accordingly, I consider that the

proposed development would be contrary to the proper planning and sustainable development of the area.

8.4. Other Matters

Sightlines and Third-Party Lands

The second reason for refusal concerns the ability to achieve the required sightlines at the proposed access without encroachment onto lands outside the applicant's control. The Planning Authority stated that the submitted drawings indicated that third-party lands located to the east of the site would require a setback of approximately 3 metres from the road edge in order to achieve the required visibility splays. It was considered that the sightlines illustrated could only be achieved through substantial works on lands outside the applicant's ownership.

In response to the appeal, the applicant has stated that an error occurred in the original topographical survey submitted with the planning application. Revised drawings have been submitted which, according to the applicant, accurately reflect the existing site conditions. The revised survey indicates that the distance from the road edge to the rear of the existing footpath is approximately 1.9 metres, consistent with measurements observed on site. The applicant further clarifies that no works are proposed or required on third-party lands to achieve the necessary visibility splays and that the revised drawings accurately demonstrate the available sightlines within lands under the applicant's control.

The applicant has not addressed the reason for refusal in this regard. A visibility splay of 3.0m setback is a requirement as set out in Table 13.3 the Development Management Chapter of the Louth County Development Plan. The applicant has indicated in the revised drawings only has a 1.9m setback. I note the threshold is higher for non-domestic entrances where a 4.5m setback is required. The sightlines to be achieved are set out in the document TII Publication 'Geometric Design of Junctions' DN-GEO-03060 June 2017 or as amended. The applicant has not provided required sightline detail to meet the requirements of the Louth County Development Plan or the TII Guidelines. Furthermore as per the submission of the Louth County Council engineering department there is a requirement to alter third party properties to the west of the proposed access in order to achieve the required sightlines. In this regard the applicant has not addressed this secondary reason for refusal in that sightlines as proposed cannot be delivered without works to lands outside of the applicants control.

Having examined the revised drawings and the information submitted on appeal, I am not satisfied that the applicant has addressed the reason for refusal. There is no possibility of achieving sightlines without works to third party lands. Accordingly, I consider that this matter is not addressed and it is appropriate to refuse permission on this basis.

8.4.1. Surface Water Drainage and SuDS

The third reason for refusal relates to the proposed surface water drainage strategy and the Planning Authority's concern that site-specific infiltration testing had not been submitted to demonstrate the suitability of the proposed surface water disposal method. The Planning Authority considered that the proposal failed to demonstrate compliance with Policy Objective IU 19 of the Louth County Development Plan 2021–2027, which requires the incorporation of a Sustainable Drainage System (SuDS) designed in accordance with the principles set out in the Greater Dublin Strategic Drainage Study and the Dublin City Council SuDS Design and Evaluation Guide.

The applicant disputes this assessment and states that infiltration-based drainage was never proposed as part of the development. Rather, the proposed drainage strategy involves the collection and attenuation of all surface water runoff within sealed attenuation storage tanks prior to controlled discharge to the existing public surface water sewer network. The applicant submits that, as infiltration is not proposed, the requirement for infiltration testing is not applicable in this instance.

I note that the applicant has submitted a revised drainage strategy together with hydraulic calculations demonstrating that post-development discharge rates would be restricted to equivalent greenfield runoff rates. The calculations indicate that adequate attenuation storage is proposed to manage stormwater runoff generated by the development and to limit discharge to the receiving network.

Policy Objective IU 19 seeks the integration of Sustainable Drainage Systems in accordance with best practice guidance. The SuDS philosophy encompasses a range of measures aimed not only at managing surface water quantity, but also at improving water quality, promoting biodiversity and providing wider environmental benefits. The SuDS philosophy requires a hierarchy of infiltration, attenuation and restricted discharge.

The drainage strategy submitted by the applicant addresses the quantity aspect of stormwater management through attenuation and controlled discharge. Such measures are recognised components of the SuDS hierarchy and can be considered consistent with SuDS principles. However, I note that the information submitted focuses primarily on runoff attenuation and flow control and provides limited detail regarding measures to address surface water quality, water treatment or biodiversity enhancement. The applicant has failed to apply an infiltration led approach.

Notwithstanding this observation, I am satisfied that the applicant has demonstrated that an appropriate drainage solution can be provided for the site through appropriate Suds measures. Given the scale and nature of the development and having regard to the suburban infill context of the site, I do not consider the deficiencies identified in relation to water quality treatment and biodiversity enhancement to constitute grounds for refusal.

Should the Commission be minded to grant permission, I consider that these matters could be satisfactorily addressed by way of a suitably worded condition requiring the submission and agreement of revised surface water management details incorporating appropriate SuDS measures, where feasible, to enhance water quality treatment and biodiversity outcomes.

9.0 AA Screening

I have considered the proposed development at Donore Road, Drogheda, Co. Louth, in light of the requirements S177U of the Planning and Development Act, 2000, as amended. The subject site is located 0.56km north east of the River Boyne and River Blackwater SAC (Site Code: 002299) and The River Boyne and River Blackwater SPA (Site Code: 004232) and 2.6km east of the Boyne Estuary SPA (Site Code: 004080).

There are no drainage ditches or watercourses in the vicinity of the development site that provide direct connectivity to European sites. Article 10 of the Habitats Directive and the Habitats Regulations 2011 place a high degree of importance on such non-Natura 2000 areas as features that connect the Natura 2000 network. Features such

as ponds, woodlands and important hedgerows were taken into account in the decision process.

The proposed development comprises the demolition of existing buildings for a new unmanned service station development and all site works.

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 European Site. The reason for this conclusion is as follows;

- The nature and small scale of the development,
- The location of the development site and distance from nearest European site(s), and the weakness of connectivity between the development site and European sites.
- Taking account of the screening report/determination by the Planning Authority.

I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act, 2000) is not required

10.0 Water Framework Directive

The Site is located in the Boyne catchment (catchment I.D 07) and in the Boyne_SC_130 sub catchment (sub-catchment I.D 07_17) (EPA, 2025). The closest watercourse to the Proposed Development is the Boyne Estuary transitional waterbody (EU code: IE_EA_010_0100), located c. 0.56km northeast. The Boyne Estuary currently holds a Moderate Water Framework Directive (WFD) status (2016-2021) and is currently At Risk of failing to achieve its WFD objectives (EPA, 2025).

I have assessed the proposed development for the provision of for a new unmanned service station development and all site works 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 a surface water

The reason for this conclusion is as follows:

- The best practice standard measures that will be employed to prevent groundwater and surface water pollution from the site.
- Connection to existing public sewer

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

11.0 Recommendation

I recommend that permission be refused for the following reasons:

12.0 Reasons and Considerations

1. The proposed unmanned service station, by reason of its commercial nature and destination-based function, would constitute an incongruous form of development within lands zoned A1 Residential, the objective of which is to protect and enhance the amenity and character of existing residential communities. The Commission is not satisfied that the proposed use would be compatible with surrounding residential land uses, as required by Section 13.21.2.3 of the Louth County Development Plan 2021–2027. The proposed development would therefore contravene the zoning objective for the site and would be contrary to the proper planning and sustainable development of the area.
2. The proposed development would require the removal and reconfiguration of existing ghost-island road markings on the L1003-135 Donore Road in order to facilitate right-turn vehicular movements into and out of the site. The Coimisiun is

not satisfied, on the basis of the information submitted, that the proposed access arrangements and associated alterations to the public road layout would operate safely or that they would not adversely affect existing traffic and pedestrian safety conditions. In particular, insufficient evidence has been submitted to demonstrate that the proposed changes would not undermine the existing traffic management and safety function of the road markings or create conflicts between vehicular and pedestrian movements.

The proposed development would therefore be contrary to Policy Objective MOV 47 and the objectives of Chapter 7 (Movement) of the Louth County Development Plan 2021–2027, which seek to ensure that development proposals are supported by adequate transport assessments and do not prejudice road safety. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. The applicant has not satisfactorily demonstrated that the proposed site entrance on the public road has sufficient sightline entry visibility/setback distance in accordance with the requirements of Table 13.3 of the Louth County Development Plan 2021 to 2027. In this regard, it is considered that turning movements generated by the proposed development from the site would interfere with the safety and free flow of traffic on the public road and would endanger public safety by reason of a traffic hazard, or obstruction of road users at a point where sightlines are restricted in a westerly direction. Furthermore, it is also considered that the applicants proposal to alter/ break the Ghost Island in the centre line of the public road would give rise to haphazard vehicular stopping and turning movements, thereby resulting in the obstruction of other road users, would endanger public safety by reason of traffic hazard. Therefore, the proposed development would be contrary to the proper planning and sustainable development of the area.

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.”

Darragh Ryan

Planning Inspector

18th June 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	50097-LH-26
Proposed Development Summary	demolition of existing buildings for a new unmanned service station development and all site works.
Development Address	Donore Road, Drogheda, Co. Louth
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	☒ Yes, it is a 'Project'. Proceed to Q.2.
	☐ No, No further action required.
(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)	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to	State the Class here

be requested. Discuss with ADP.	
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☐ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
☒ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	Part 2, Schedule 5, Planning and Development Regulations 2001 6. Chemical Industry (development not included in Part 1 of this Schedule) Storage facilities for petroleum, where the storage capacity would exceed 50,000 tonnes.
☐ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR	State the Class and state the relevant threshold

If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	
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 ☐	Screening Determination required (Complete Form 3) [Delete if not relevant]
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3) [Delete if not relevant]

Inspector: _____

Date: _____

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	500970-LH-26
Proposed Development Summary	demolition of existing buildings for a new unmanned service station development and all site works.
Development Address	Donore Road, Drogheda, Co. Louth
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The development has a modest footprint, comes forward as a standalone project, , does not require 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. It presents no risks to human health. The applicant has provided a clear construction management plan outlining best practice construction management practices for the development to abate any potential accidents or environmental damage.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use,	Briefly comment on the location of the development, having regard to the criteria listed For example:

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 situated in a suburban area on brownfield site. The development is removed from sensitive natural habitats, centres of population and designated sites and landscapes of identified significance in the County Development Plan.
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 modest 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.
Conclusion [Delete Conclusions which are not relevant]	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of	EIA is not required.

significant effects on the environment.	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.
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Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)