

An Bord Pleanála
4 Marlborough Street
Dublin 1
D01 V902

AN BORD PLEANÁLA	
LDG-	070631-24
ABP-	319281-24
13 MAR 2024	
Fee: €	220.00 Type: Cash
Time:	12:58 By: hand

13th March 2024

Re: Application 2360115

From: Mark Mallon
Address: Suite C, Formation Works Armagh, 2 Edenaveys Industrial Estate, Edenaveys Road, Armagh,
BT60 1NF

Dear Sir/Madam,

In relation to the above matter please find attached the following documents accompanying this appeal

- Appeal form
- Copy of Decision Notice
- Copy of submission receipt to Louth Co Council re application 2360115
- Appeal fee to the sum of €220

Grounds of appeal

- Zoning provisions of the Development Plan

On review of the land zoning map the site is zoned as E1- General Employment under the Louth County Development Plan 2021-2027. As per the zoning matrix the plan states:

'This zoning is the primary location for employment generating activities. It will facilitate the improvement and expansion of existing employment areas and the investment and development of new employment areas. A wide range of uses will be facilitated on these lands including small, indigenous enterprises, general industry, manufacturing, food production, logistics and warehousing. The compatibility of a particular use or operation will be dependant on the nature of the use/operations and surrounding uses in the area in which the development will be located.'

On review of the zoning provisions I highlight that the proposed development (Heavy Industry) is not permitted in principle on E1 lands.

Furthermore the proposal would set an undesirable precedent in that all E1 lands would be appropriate in principle should this development be approved.

Also given the provision of a joint Local Area Plan for Drogheda Environs is due to be published later in 2024 (a joint LAP between Louth and Meath) the proposal would be premature and prejudice locational principles in both the Louth CDP and a LAP for Drogheda.

In this context the proposal represents a Material Contravention of the Louth County Development Plan 2021-2027. I submit the provisions of Section 37 of the Planning and Development Act therefore arise that An Bord Pleanála cannot approve permission given the zoning does not permit this development.

- Environmental Impact Assessment Report (EIAR) and full extent of works

On review of the EIAR and application particulars I highlight not all associated works have been assessed in the EIAR.

Specifically the application site is circa 1.4km from the Irish Water wastewater network and the connection works have not been assessed in the EIAR.

Also the upgrade works to the Regional Road that serve the site (R132) have not been included in application documents nor assessed in the EIAR.

In this context the principles of project splitting arise and I highlight the Courts have determined that all aspects of a project are to be considered in an EIAR. For reference the legal principles in case law O'Grianna Vs An Bord Pleanála (2014) are entirely applicable and all associated works pertaining to a project are to be considered.

- Water Framework Directive

In the first instance I refer to the Water Framework Directive it is a requirement for a project to demonstrate and assess the effects of a project on water quality.

The nature of the proposal will involve zinc discharges from the process and which ultimately enter the ground water.

On review of the application I note no detailed Hydrological Zone of Influence has been identified nor assessed in the EIAR.

It is also noteworthy that by 2027 there is a requirement under Article 4 of the WFD for good water status to be achieved for all water bodies:

'The environmental objectives in Article 4 of the WFD impose two main obligations on the EU Member States: to prevent deterioration of the status of all surface and groundwater bodies within the Union, and to protect, enhance and restore all water bodies in order to achieve 'good water status', originally by the end of 2015 and with full implementation by 2027'

On review of the Local Ground Water I note the site is located above the 'Wilkestown Ground Waterbody' and which currently has a 'poor' status.

Going forward 'all water bodies' are required under Article 4 of the WFD to achieve good water status by 2027. However, this has not been assessed at all in either the EIAR or the planner's report which is silent on the Water Framework Directive.

In this context the proposal cannot be approved and the precautionary principle must be applied by An Bord Pleanála.

Also as I have family member residing in the area I take this opportunity to highlight my objections to this proposal on a number of principles.

Roads

The development will result in an increase in traffic. This is unacceptable and will adversely impact local residents including my family. Given the scale of galvanising baths proposed it is clear this facility will cater for large plant/vehicles which cannot be accommodated on the local road network.

Visual

The development will be unsightly in the local landscape.

In this context it is therefore not appropriate to deem this application as consistent with the proper planning and sustainable development of the area.

Environmental and EIAR

The proposal will result in unacceptable emissions and pollution risk.

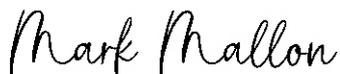
Also having reviewed the EIAR I note it fails to consider lacks detail on the types of environmental impacts from this type of facility and fails to provide quantitative details of the likely emissions.

Overall there is a lacunae in evidence and particularly in relation to both Groundwater emission and air emission risks.

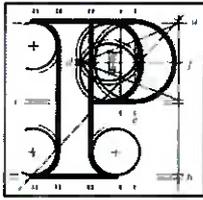
In this context the precautionary principle should be applied as the absence of data means the environmental impacts of the proposal cannot be assessed.

Finally I enclose the required fee of €220.00. If your department can confirm receipt of my appeal.

Your sincerely,



Mark Mallon



An
Bord
Pleanála

Planning Appeal Form

Your details

1. Appellant's details (person making the appeal)

Your full details:

(a) Name

Mark Mallon

(b) Address

Suite C, Formation Works Armagh
2 Edenaveys Industrial Estate, Edenaveys Road,
Armagh, BT60 1NF

Agent's details

2. Agent's details (if applicable)

If an agent is acting for you, please also provide their details below. If you are not using an agent, please write "Not applicable" below.

(a) Agent's name

N/A

(b) Agent's address

N/A

Postal address for letters

3. During the appeal we will post information and items to you or to your agent. For this appeal, who should we write to? (Please tick ✓ one box only.)

You (the appellant) at the address in Part 1

The agent at the address in Part 2

Details about the proposed development

4. Please provide details about the planning authority decision you wish to appeal. If you want, you can include a copy of the planning authority's decision as the appeal details.

(a) Planning authority

(for example: Ballytown City Council)

Louth County Council

(b) Planning authority register reference number

(for example: 18/0123)

2360115

(c) Location of proposed development

(for example: 1 Main Street, Baile Fearainn, Co Ballytown)

Mell Drogheda, Co Louth

Appeal details

5. Please describe the grounds of your appeal (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

Appeal against decision 2360115

Refer to attached appeal statement and enclosures

Supporting material

6. If you wish you can include supporting materials with your appeal.

Supporting materials include:

- photographs,
- plans,
- surveys,
- drawings,
- digital videos or DVDs,
- technical guidance, or
- other supporting materials.

Acknowledgement from planning authority (third party appeals)

7. If you are making a third party appeal, you **must** include the acknowledgment document that the planning authority gave to you to confirm you made a submission to it.

Fee

8. You **must** make sure that the correct fee is included with your appeal. You can find out the correct fee to include in our Fees and Charges Guide on our website.

Oral hearing request

9. If you wish to request the Board to hold an oral hearing on your appeal, please tick the “yes, I wish to request an oral hearing” box below.

Please note you will have to pay an **additional non-refundable fee** of €50. You can find information on how to make this request on our website or by contacting us.

If you do not wish to request an oral hearing, please tick the “No, I do not wish to request an oral hearing” box.

Yes, I wish to request an oral hearing

No, I do not wish to request an oral hearing

NALA has awarded this document its Plain English Mark

Last updated: April 2019.



PLANNING AND DEVELOPMENT REGULATIONS, 2006 (as amended)

**ACKNOWLEDGEMENT OF RECEIPT OF SUBMISSION OR OBSERVATION ON A
PLANNING APPLICATION**

THIS IS AN IMPORTANT DOCUMENT!

**KEEP THIS DOCUMENT SAFELY. YOU WILL BE REQUIRED TO
PRODUCE THIS ACKNOWLEDGEMENT TO AN BORD PLEANALA IF
YOU WISH TO APPEAL THE DECISION OF THE PLANNING
AUTHORITY.**

LOUTH COUNTY COUNCIL

PLANNING APPLICATION REFERENCE NO. 23/60115

Hibernia Steel (Manufacturing) Limited., Permission for development including: 1) ~~Construction of approx. 5,719 sq.m. gross floor area (GFA) main building, to house hot dip metal galvanising plant, machinery & associated works & containing materials loading & unloading areas, chemicals storage areas & staff welfare facilities. The main building will be in two main sections, both single storey, consisting of a northern section of approx. 2,636 sq.m. GFA & a southern section of approx. 2,404 sq.m. GFA, with maximum heights above finished ground levels of 17.30m & 14.55m, respectively, together with an approx. 679 sq.m. GFA two storey over basement section with a maximum height above finished ground level of 8.90m, adjoining the east of the northern section. The main building will include 4 no. emissions stacks located on the roof of the northern section of the building, each rising to a height of 2.7m above the maximum height of the northern section & 1 no. emission vent located on the western side of the northern section of the building, at a height of 7.2m above finished ground level.~~ 2) Construction of approx. 298 sq.m. GFA two storey office building to be located to north of main building, containing main reception area & general offices. 3) Provision of hardstanding area, processed & unprocessed materials storage areas & HGV/trailer parking spaces. 4) Provision of vehicular & pedestrian entrance. 5) Provision of 110 car parking spaces, including 7 EV charging points & 20 bicycle spaces. 6) Provision of internal access road. 7) Provision of 2 no. weighbridges 8) Installation of 2 no. LPG tanks, 9) Construction of ESB substation within the main building. 10) Provision of bunded fuel storage area. 11) Provision of stormwater drainage & treatment infrastructure, including permeable paving, attenuation unit, infiltration area, rainwater harvesting tanks & ass. works. 12) Site landscaping works, including raised soil berm on part of the western boundary of the site with a max. ht. of approx. 3m above finished ground level.

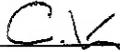
13) Firewater retention infrastructure. 14) Provision of site security fencing & entrance walls and gates. 15) Provision of signage. 16) Provision of site lighting. 17) And all ancillary site development works. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) will be submitted with the application. The proposed development will require an Industrial Emissions (IE) Licence, under the EPA Act 1992, as amended at Mell, Drogheda, Co. Louth.

A submission/observation in writing has been received from:

Mark Mallon, Suite 59 Dean Swift Building, Armagh Business Park,
Hamiltonsbawn Road, Armagh, BT60 1HW

On 25th **January, 2024** in relation to the above application.

The submission/observation is in accordance with the appropriate provisions of the Planning and Development Regulations, 2006 (as amended), and will be taken into account by the Planning Authority in its determination of the Planning Application.



Conor Kerrigan
Planning Office

PLANNING AUTHORITY
STAMP

DATE: 25/01/2024



LOUTH COUNTY COUNCIL

Town Hall, Crowe Street, Dundalk, County Louth A91 W20C
Tel: 042/9335457

PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

Date: 25/01/2024

TO: Mark Mallon
Suite 59 Dean Swift Building
Armagh Business Park
Hamiltonsbawn Road
Armagh, BT60 1HW

ACKNOWLEDGEMENT OF SUBMISSION

Applicant: Hibernia Steel (Manufacturing) Limited

Description of Development: Permission for development including: 1) Construction of approx. 5,719 sq.m. gross floor area (GFA) main building, to house hot dip metal galvanising plant, machinery & associated works & containing materials loading & unloading areas, chemicals storage areas & staff welfare facilities. The main building will be in two main sections, both single storey, consisting of a northern section of approx. 2,636 sq.m. GFA & a southern section of approx. 2,404 sq.m. GFA, with maximum heights above finished ground levels of 17.30m & 14.55m, respectively, together with an approx. 679 sq.m. GFA two storey over basement section with a maximum height above finished ground level of 8.90m, adjoining the east of the northern section. The main building will include 4 no. emissions stacks located on the roof of the northern section of the building, each rising to a height of 2.7m above the maximum height of the northern section & 1 no. emission vent located on the western side of the northern section of the building, at a height of 7.2m above finished ground level. 2) Construction of approx. 298 sq.m. GFA two storey office building to be located to north of main building, containing main reception area & general offices. 3) Provision of hardstanding area, processed & unprocessed materials storage areas & HGV/trailer parking spaces. 4) Provision of vehicular & pedestrian entrance. 5) Provision of 110 car parking spaces, including 7 EV charging points & 20 bicycle spaces. 6) Provision of internal access road. 7) Provision of 2 no. weighbridges 8) Installation of 2 no. LPG tanks, 9) Construction of ESB substation within the main building. 10) Provision of bunded fuel storage area. 11) Provision of stormwater drainage & treatment infrastructure, including permeable paving, attenuation unit, infiltration area, rainwater harvesting tanks & ass. works. 12) Site landscaping works, including raised soil berm on part of the western boundary of the site with a max. ht. of approx. 3m above finished ground level.

13) Firewater retention infrastructure. 14) Provision of site security fencing & entrance walls and gates. 15) Provision of signage. 16) Provision of site lighting. 17) And all ancillary site development works. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) will be submitted with the application. The proposed development will require an Industrial Emissions (IE) Licence, under the EPA Act 1992, as amended

Location of Development: Mell Drogheda Co. Louth.

Date Application Received: 22/05/2023

Type of Application: PERMISSION

A Chara

I wish to acknowledge receipt of your written submission/observation in relation to the above application.

The Planning Authority will take this submission/observation into consideration before a decision is made on the application. You will be notified of the decision as soon as it is made together with details of your right of appeal to An Bord Pleanala.

The application and all plans, etc. submitted with it are available for inspection at this office from 9 a.m. to 5 p.m. Monday to Friday. Please quote the planning reference number (2360115) in any future correspondence or enquiry.

Mise, le meas



Conor Kerrigan
Planning Office



LOUTH COUNTY COUNCIL

Town Hall, Crowe Street, Dundalk, County Louth A91 W20C
Tel: 042/9335457 Fax:0429392910

PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

NOTIFICATION OF DECISION TO GRANT

TO: Hibernia Steel (Manufacturing) Limited
c/o Niamh Murray
Main Street
Mullagh
Co. Cavan
A82 TR04

Date: 19/02/2024

Register Reference Number: 2360115

Date Application Received: 22/05/2023

Type of Application: PERMISSION

Description of Development: Permission for development including: 1) Construction of approx. 5,719 sq.m. gross floor area (GFA) main building, to house hot dip metal galvanising plant, machinery & associated works & containing materials loading & unloading areas, chemicals storage areas & staff welfare facilities. The main building will be in two main sections, both single storey, consisting of a northern section of approx. 2,636 sq.m. GFA & a southern section of approx. 2,404 sq.m. GFA, with maximum heights above finished ground levels of 17.30m & 14.55m, respectively, together with an approx. 679 sq.m. GFA two storey over basement section with a maximum height above finished ground level of 8.90m, adjoining the east of the northern section. The main building will include 4 no. emissions stacks located on the roof of the northern section of the building, each rising to a height of 2.7m above the maximum height of the northern section & 1 no. emission vent located on the western side of the northern section of the building, at a height of 7.2m above finished ground level. 2) Construction of approx. 298 sq.m. GFA two storey office building to be located to north of main building, containing main reception area & general offices. 3) Provision of hardstanding area, processed & unprocessed materials storage areas & HGV/trailer parking spaces. 4) Provision of vehicular & pedestrian entrance. 5) Provision of 110 car parking spaces, including 7 EV charging points & 20 bicycle spaces. 6) Provision of internal access road. 7) Provision of 2 no. weighbridges 8) Installation of 2 no. LPG tanks, 9) Construction of ESB substation within the main building. 10) Provision of bunded fuel storage area. 11) Provision of stormwater drainage & treatment infrastructure, including permeable paving, attenuation unit, infiltration area, rainwater harvesting tanks & ass. works. 12) Site landscaping works, including raised soil berm on part of the western boundary of the site with a max. ht. of approx. 3m above finished ground level. 13) Firewater retention infrastructure. 14) Provision of site security fencing & entrance walls and gates. 15) Provision of signage. 16) Provision of site lighting. 17) And all ancillary site development works. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) will be submitted with the application. The proposed development will require an Industrial Emissions (IE) Licence, under the EPA Act 1992, as amended

Name of Applicant: Hibernia Steel (Manufacturing) Limited

Location of Development: Mell, Drogheda, Co. Louth

Date of Decision: 19/02/2024

In pursuance of the powers conferred upon it by the above mentioned Acts, the Council of the County of Louth, being the Planning Authority for the County of Louth, has decided to **GRANT PERMISSION** for the development mentioned above, subject to the 20 condition(s) set out in the schedule attached.

An **appeal** against this decision may be made to An Bord Pleanála. The procedure for making an appeal is available on An Bord Pleanála's website (www.pleanala.ie).

If no appeal is taken against this decision, a grant of PERMISSION will be made on the expiration of the period for the making of an appeal. If an appeal or appeals is/are taken, the grant shall not be made unless the appeal, or, as the case may be, each appeal, is either:

- (a) withdrawn
- (b) dismissed by An Bord Pleanála or
- (c) is subject to a direction by An Bord Pleanála.

N.B. UNTIL THE GRANT IS MADE THE DEVELOPMENT IN QUESTION IS NOT AUTHORISED.

No development may be carried out on foot of an **outline** permission until a **grant of permission consequent on outline** has been obtained.



Anne D. Callan,
Administrative Officer

LOUTH COUNTY COUNCIL

REFERENCE NO. 23/60115

CONDITIONS

1. Subject to the conditions below, the proposed development shall be carried out in strict conformity with the plans, specifications and details received on 22nd May 2023 and revised plans and specification submitted on the 20th of December 2023.

Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development, or as otherwise stipulated by conditions hereunder, and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. In accordance with the Council's Development Contribution Scheme 2023 made under the provisions of section 48 of the Planning and Development Act 2000 the developer shall pay a contribution to the Planning Authority, in the amount specified below (or such increased amount in accordance with the changes on an annual basis to the Wholesale Price Index for building and construction published by the Central Statistics Office) towards the costs already incurred or to be incurred by the Planning Authority on the provision of each of the public facilities listed below, which will benefit development in the area of the Planning Authority. Unless otherwise agreed in writing with the Planning Authority before development is commenced the said contribution shall be paid in full before such commencement. -

- a) Class 1 €73 x 6,017sqm = €439,241 – 75% = €109,810.25
- b) Class 2 €17 x 6,017sqm = €102,289 – 75% = €25,572.25

Total: €135,382.50

(One hundred and thirty-five thousand, three hundred and eighty-two euro and fifty cent)

Reason: The provision of such public infrastructure and facilities in the area of the Planning Authority has benefited or will benefit the proposed development and it is considered reasonable that the developer should contribute towards the cost of their provision.

REFERENCE NO: 23/60115

3. Prior to commencement of development for the written agreement of the Planning Authority the developer is required to submit comprehensive plans and details relating to:

- All proposed external finishes, boundary treatments and surfacing.
- The proposed retaining walls
- Car/HGV parking, circulation and the proposed external storage areas
- All proposed signage.

Reason: In the interest of orderly development.

4.(a) The sound levels attributable to on- site operations associated with machinery or devices used as part of the operation within the premises at the development outside of the nearest noise sensitive location(s) to the development shall not exceed the following levels:-

- (i) Leq (30 mins.) of 55 dB(A) between the hours of 07.00 and 19.00

No pure tones or impulsive characteristics shall be audible at any noise sensitive location(s) in the vicinity of the development between the hours of 19:00 and 07:00

(b) The developer shall continue to carry out noise surveys to measure noise levels at the nearest sensitive locations during normal working hours and nighttime measurements. The monitoring locations shall be confirmed and agreed with the Planning Authority within 3 months of the date of this permission. Noise measurement shall be to an appropriate standard and the frequency of surveys shall be agreed with the Planning Authority within 3 months of the date of this permission.

The Planning Authority shall be afforded access at all reasonable times in order to inspect, examine and check or to have inspected, examined and checked, all apparatus and equipment used or required to carry out monitoring of noise. The developers shall pay a sum of money to Louth County Council, if demanded, as a contribution towards the costs incurred by the said Council in carrying out, or in having carried out, check monitoring and recording of any, or all, of the matters required to be monitored and recorded by part and of this condition. The amount of contribution and the arrangement for payment of such contribution shall be as agreed between the developers and the Planning Authority.

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

5. All sound measurement shall be carried out in accordance with ISO Recommendation 1996:2007: Acoustics-Description and Measurement of Environmental Noise Levels as amended.

Reason: In the interests of clarity.

REFERENCE NO: 23/60115

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

Reason: In the interest of orderly development.

7. (a) The site shall be landscaped strictly in accordance with the submitted scheme of hard and soft landscaping.

(b) All planting shall be adequately protected from damage until established. Any plants which die, are removed, or become seriously damaged or diseased, within a period of 5 years from the completion of the development shall be replaced within the next planting season with others of similar size and species unless otherwise agreed in writing with the Planning Authority'.

Reason: In the interest of residential and visual amenity.

8. All service cables associated with the proposed development (such as electrical, telecommunications and television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

9. The developer shall enter into water and wastewater connection agreements with Uisce Éireann prior to commencement of development and all development shall be carried out in compliance with Uisce Éireann Standards codes and practices.

Reason: In the interest of public health.

10. Site development and building works shall be carried out only between the hours of 0800 to 1800 hours Mondays to Saturdays inclusive, and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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

REFERENCE NO: 23/60115

11. The public road at the entrance to and adjacent to the site, shall be kept free of soil, clay, gravel, mud or dust or other debris at all stages while the development is taking place. Care shall be taken to ensure that all vehicles leaving the site are free of any material that would be likely to deposit on the road and in the event of such deposition occurring, immediate steps shall be taken to remove the material from the road surface. Public roads and footpaths in the vicinity of the site shall be maintained in a tidy condition by the developer during the construction phase.

Reason: In the interests of traffic safety and to protect the visual amenities of the area.

12. The developer shall undertake and be responsible for the full cost of carrying out of road and footpath cleaning work under Planning Authority supervision or alternatively, shall pay to the Planning Authority the full cost of cleaning any such debris.

Reason: To protect the amenities of the area.

13. The transmitted ground vibration arising from any piling carried out on the site, when measured on the foundations of the house nearest the location of the piling and not owned by the developer or on a part of the house in close contact with the foundations, shall not exceed a peak particle velocity of 5 millimeters per second in any one of three mutually orthogonal planes.

Reason: To safeguard the amenities of adjacent property

14. (a) The developers shall, if directed by the Planning Authority, monitor and record noise levels during construction of the development – Leq's and any other levels which may be requested by the Planning Authority (L max etc.)

(b) The developer shall if directed by the Planning Authority, monitor, and record the total dust emissions arising from all on site operation associated with the proposed development during construction.

(c) The number and locations of the monitoring and recording stations for sound and dust deposition necessary to comply with the requirements of Part (a) and (b) of this condition shall be in accordance with the requirements of the Planning Authority for such monitoring of sound and dust deposition.

(d) The Planning Authority shall be afforded access at all reasonable times in order to inspect, examine and check or to have inspected, examined, and checked, all apparatus and equipment used or required to carry out monitoring of noise.

REFERENCE NO: 23/60115

(e) The developers shall pay a sum of money to Louth County Council, if demanded, as a contribution towards the costs incurred by the said Council in carrying out, or in having carried out, check monitoring and recording of any, or all, of the matters required to be monitored and recorded by part (a) and (b) of this condition. The amount of contribution and the arrangement for payment of such contribution shall be as agreed between the developers and the Planning Authority.

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

15. Archaeological monitoring:

(a) All ground works associated with the proposed development shall be monitored under licence by a suitably qualified archaeologist.

(b). Should archaeological material be found during the course of works, the works on the site shall be stopped pending a decision as to how best deal with the archaeology. The developer shall be prepared to be advised by the National Monuments Service of the Department of Housing, Local Government and Heritage with regard to any necessary mitigating action (eg. preservation in situ, or excavation) and should facilitate the archaeologist in recording any material found.

Reason: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

16. The mitigation measures as set out in the Natural Impact Statement shall be fully adhered to. The developer shall appoint a person with appropriate ecological and construction expertise as an environmental manager to ensure that the mitigation measures identified in the Environmental Impact Assessment Report and the Natural Impact Statement are implemented in full.

Reason: In the interest of orderly development and protection of the environment

17. The proposed lighting system to serve the development shall be agreed in writing with the Planning Authority prior to the commencement of development. All lighting shall be set out and directed/cowled to minimise any overspill on neighbouring properties.

Reason: To safeguard the amenities of adjacent residential property

REFERENCE NO: 23/60115

18. A minimum of 20% of all car parking spaces shall be provided with functioning electric vehicle charging stations/points and ducting shall be provided for all remaining car parking spaces, facilitating the installation of electric vehicle charging points/stations at a later stage. Where proposals relating to the installation of electric vehicle ducting and charging stations or points has not been submitted with the application, in accordance with the above noted requirements, such proposals shall be submitted to and agreed in the writing with the Planning Authority prior to the occupation of the development.

Reason: To provide for and or future proof the development such as would facilitate the use of electric vehicles.

19. (a) Prior to commencement of development the applicant shall submit a "Site Layout Map" for the written agreement of the Planning Authority clearly displaying minimum visibility sightline requirement of 4.5m x 215 m over a height of 1.05m– 0.6m above road level in both directions at the proposed entrance to the IDA site on the public road R132 in accordance with Table 13.13 of Louth County Development Plan 2021-2027. I.e. Sightlines now require a sight distance of 215m at a point 4.5m back from the edge of the carriageway. The sightlines must be achievable to the nearside of the road in both directions (looking north and south). Note: Parent application 071435 indicated that an element of embankment re-grading was required to achieve forward visibility on the R132 on the east side approaching the site.

The applicant should note that the area within the visibility sightlines must be clear and provide a level surface no higher than 250mm above the level of the adjoining carriageway and shall be retained and kept clear thereafter.

No impediment to visibility sightline shall be placed, constructed, planted and/or allowed to remain within the visibility sightline triangle. Any proposed new/realigned boundary hedge/wall/fence shall be located behind the visibility sightline splay. Any pole, column, vegetation, wall, fence, tree or sign etc., materially affecting visibility sightlines must also be removed / relocated with consent obtained from the relevant authority to do so.

(b) Surface water from the site shall be disposed of within the boundaries of the site and shall not discharge onto the access road or adjoining property. Surface water drainage, infiltration, attenuation, and disposal shall be as indicated on SUDS Drainage Report Section 3 which form part of Engineering Services Report completed by Boylan Consulting Engineers Ltd dated 14/04/2023 and all referenced drawings, namely Drg. No. C216-DR-BCON-CE-101. The developer shall be responsible for regular and adequate SUDS maintenance measures to be carried out. The applicant has indicated that part of site will discharge to an existing land drain. The applicant shall satisfy themselves that this drain has adequate capacity to cater for any surface runoff from proposed development. Design and Construction of the proposed Surface Water Attenuation Structures shall be supervised and certified by a Competent Independent Structural Engineer.

(c) All diversion/accommodation works in relation to existing overhead ESB power lines that traverse the site and undergrounding of ESB lines shall be carried out in compliance with ESB approval and their subsequent conditions.

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(d)The proposed access road within the development shall be surfaced with an impermeable surface (e.g. concrete, dense bitumen macadam, etc.) and drained via patent type surface water lockable gullies or surface water drainage channels to a separate surface water drainage system. Gully chambers, where proposed, shall be provided at the minimum rate of one gully chamber per 200m². No road gully chamber to be built directly "on line" on any drainage pipeline and shall be connected to main drainage pipelines via separate 150mm diameter branch connections. Manhole covers and frames, located in areas subject to vehicular traffic, shall be heavy-duty type to the current IS EN standards. Minimum strength is D400. Only clean uncontaminated water from all hard standing areas, including roofs, within the site shall be discharged to the surface water drainage system. Gully chambers to be lockable and located and constructed in such a manner as to prevent ponding occurring.

(e)All necessary measures, as may be determined by the Planning Authority, shall be taken by the developer/contractor/servants/agents to prevent the spillage or deposit of clay, rubble or other debris on adjoining public roads or footpaths during the course of the development works. The developer shall ensure that all vehicles leaving the development are free from any material that would be likely to deposit on the road and in the event of any such deposition; immediate steps shall be taken to remove the material from the road surface. The developer shall be responsible for the full cost of carrying out of road/footpath cleaning work.

Reason: In the interest of traffic safety and orderly development.

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

Reason: In the interest of proper planning and sustainable development.

Notes for Applicants

1. It should be clearly understood that the granting of Planning Permission does not relieve the developer of the responsibility of complying with any requirements under other Codes of legislation affecting the proposal.
2. A person shall not be entitled solely by reason of a grant of Planning Permission to carry out any development.
3. A grant of Planning Permission does not entitle a person to construct a development that would oversail, overhang or otherwise physically impinge upon an adjoining property without the permission of the adjoining property owner.
4. The applicant/developer shall liaise with statutory bodies and the Public Utility Authorities and carry out all diversions, re-routing, modifications etc as required during the construction of the works. The applicant/developer shall arrange to carry out any works required by statutory bodies and the Public Utility Authorities.
5. The applicant/developer shall make all necessary arrangements to apply for and obtain a Road Opening License(s) from Louth County Council in respect of all openings in public areas and shall pay Road Opening License Fees and road restoration costs. The applicant shall abide by the conditions as set out in the said license(s).
6. During the course of construction work the developer shall provide on-site covered skip(s) or other suitable receptacle for the deposit therein of all rubbish, litter, paper, packaging, rubble and other such materials arising from the works and shall ensure that the site and its environs are maintained at all times in a clean and tidy condition.
7. The procedure for making an appeal is available on An Bord Pleanála's website. (www.pleanala.ie)

Uisce Éireann Standard Notes

1. Under the provisions of Section 55(1)(a) of the Water Services Act 2007 (the Act) it is an offence for a person to cause or permit the connection of a premises to the public water supply network , either directly or indirectly, or to otherwise take a water supply without the agreement of Uisce Éireann. Similarly under the provisions of Section 61(1) (a) of the Act, it is an offence for a person to cause or permit the connection of a premises to the public waste water collection network, either directly or indirectly, without the agreement of Uisce Éireann.

2. Where the applicant proposes to connect to a public water/wastewater network operated by Uisce Éireann, the applicant must sign a connection agreement with Uisce Éireann prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.

3. In the interest of Public Health and Environmental Sustainability, Uisce Éireann Infrastructure capacity requirements and proposed connections to the Water and Waste Water Infrastructure will be subject to the constraints of the Uisce Éireann Capital Investment Programme.