

File With \_\_\_\_\_

**SECTION 131 FORM**

Appeal NO: ABP 319281-24

Defer Re O/H

Having considered the contents of the submission dated/ received 16/04/2024  
from

Charles Carroll

I recommend that section 131 of the Planning and Development Act, 2000

be/not be invoked at this stage for the following reason(s): no new material issues

E.O.: Pat S

Date: 30/04/2024

For further consideration by SEO/SAO

Section 131 not to be invoked at this stage.

Section 131 to be invoked – allow 2/4 weeks for reply.

S.E.O.: \_\_\_\_\_

Date: \_\_\_\_\_

S.A.O.: \_\_\_\_\_

Date: \_\_\_\_\_

M \_\_\_\_\_

Please prepare BP \_\_\_\_\_ - Section 131 notice enclosing a copy of the attached submission

to: \_\_\_\_\_ Task No: \_\_\_\_\_

Allow 2/3/4 weeks – BP \_\_\_\_\_

EO: \_\_\_\_\_

Date: \_\_\_\_\_

AA: \_\_\_\_\_

Date: \_\_\_\_\_

File With \_\_\_\_\_

**CORRESPONDENCE FORM**

Appeal No: ABP 319281-24

M \_\_\_\_\_

Please treat correspondence received on 16/04/2024 as follows:

1. Update database with new agent for Applicant/Appellant _____	1. RETURN TO SENDER with BP _____
2. Acknowledge with BP <u>20</u>	2. Keep Envelope: <input type="checkbox"/>
3. Keep copy of Board's Letter <input type="checkbox"/>	3. Keep Copy of Board's letter <input type="checkbox"/>

Amendments/Comments Charles Carroll response to appeals

21/03/24: 17/04/24 ✓

4. Attach to file (a) R/S <input type="checkbox"/> (d) Screening <input type="checkbox"/> (b) GIS Processing <input type="checkbox"/> (e) Inspectorate <input type="checkbox"/> (c) Processing <input type="checkbox"/>	RETURN TO EO <input type="checkbox"/>
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	Plans Date Stamped <input type="checkbox"/>
	Date Stamped Filled in <input type="checkbox"/>
EO: <u>Pat B</u>	AA: <u>faveed pasha</u>
Date: <u>24/04/2024</u>	Date: <u>29/04/2024</u>

**Daniel O'Connor**

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**From:** KOM.ie | Raymond O'Malley <raymond@kom.ie>  
**Sent:** Tuesday 16 April 2024 15:35  
**To:** Appeals2  
**Subject:** ABP319281-24  
**Attachments:** Section 127(3) Response 16.04.2024.pdf

**Caution:** This is an **External Email** and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

Dear Sir or Madam,

Please see attached response to ABP letter dated 21<sup>st</sup> March 2024 in respect of planning appeal ABP-319281-24.

Regards,

***Raymond O'Malley, Director***

Kieran O'Malley & Co. Ltd.

Town Planning Consultants

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Mob + 353 87 831 5700

www.kom.ie

16<sup>th</sup> April 2024

The Secretary  
An Bord Pleanála  
64 Marlborough Street  
Dublin 1

ABP Ref.: 319281-24

File Number: 23/60115

Proposal: 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 and associated works and containing materials loading and unloading areas, chemicals storage areas, and staff welfare facilities. .... 2) Construction of approx. 298 sq.m. GFA two storey office building .... 3) Provision of hardstanding area, .... 4) Provision of vehicular and pedestrian entrance. 5) Provision of 110 car parking spaces, including 7 EV charging points, and 20 bicycle spaces. 6) Provision of internal access road. 7) Provision of 2 no. weighbridges 8) Installation of 2 no. LPG tanks, 9) .... lighting. 17) And all ancillary site development works. An Environmental Impact Assessment Report (EIA) 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

ABP Letter: 21<sup>st</sup> March 2024

Respond By: 17<sup>th</sup> April 2024

**Re: SECTION 127(3) RESPONSE TO THIRD PARTY PLANNING APPEALS**

Dear Sir or Madam,

The Board's letter dated 21<sup>st</sup> March 2024 in respect of the above refers. This is a section 127(3) submission on behalf of our client, **Mr. Charles Carroll, Killineer House & Gardens, Killineer, Drogheda, Co. Louth.**

The issue of alternative sites for the proposed development has been a central planning and environmental consideration in this application. It is our client's position and from a review of the other third party appeals, a position supported by those appeals, that the appeal site is not the correct location for the proposed development. Further, it is an agreed third party position that the planning and environmental justification for the appeal site has been reverse engineered in that the site was first selected and a set of criteria and assessments were crafted as a means to justify that location.

We attach a newspaper article from the Drogheda Leader newspaper dated 20<sup>th</sup> March 2024 that discusses the Council's notification of decision to grant. The Board's attention is drawn to the final paragraph of this article which states:

*"Enterprise Ireland had offered the company potential sites in Dundalk last year but the Moore family decided they wanted it in their home town."*

This statement raises a number of significant issues that contradict the information submitted to the planning authority. First, the applicant did not consider any site or sites in Dundalk as part of the EIA process. What sites did Enterprise Ireland identify? Were they zoned and more suitable than the appeal site? The applicant's failure to disclose this information is further evidence that the EIAR is deficient in respect of the consideration of alternatives.

Second, the applicant has confirmed that the real reason for site selection related to family ties as opposed to any overriding planning and environmental considerations. It perhaps also explains why the fabricated 20 minute drive time from the applicant's existing premises was used to define a catchment area.

As set out in the third party appeals, the appeal site is not an appropriate location for the proposed development, which would be an incompatible, toxic, and polluting heavy industrial development adjacent to existing residential properties both of whom have appealed the Council's decision. The Board is again requested to refuse planning permission.

Please acknowledge receipt of this response and direct all future correspondence to this office.

Regards,



Raymond O'Malley

Kieran O'Malley & Co. Ltd.

ROM: rom

Enclosure 1. A copy of Drogheda Leader newspaper article dated 20<sup>th</sup> March 2024

## Loss of GAA Niall

tirelessly to promote hurling in the county over the years most notably with the Wolfe Tones, Malcock Rangers and most recently St Feichins. Niall will be sadly missed."

Niall's funeral mass takes place this Saturday morning at 11.30am in Our Lady of Lourdes Church and can be viewed on [www.saintpetersdrogheda.ie](http://www.saintpetersdrogheda.ie). His burial is afterwards in Newtown Cross Lawn Cemetery. Family flowers only. Donations, if desired, to Drogheda Animal Rescue on [www.idonate.ie/cause/dar](http://www.idonate.ie/cause/dar).

On the death notice it is stated, "Niall 'Trigger' MacEneaney, The Highlands, Drogheda, Co. Louth and formerly of Matson Lodge, Ballymakenny Road. Niall, beloved husband to Grace. Very sadly missed by his heartbroken wife, Dad Ollie and Mam Marian, brothers Alan, David, Brian and Owen, father-in-law Bob, sisters-in-law Judith, Emily, Roberta, Amber and Maria, brothers-in-law Barry and Bryan, aunts, uncles, nephews Liam, Nathan, Alexander and Tom, nieces Róisín, Kate and Maria, cousins, extended family, his beloved dogs Bill, Rookie and Murray, a very large circle of great friends and his Hurling Community."

## Hibernia Steel gets permission for steel plant

By Des Grant

Local company Hibernia Steel Ltd has been given planning permission by Louth County Council to build a steel galvanising plant at the new IDA business park in Drogheda with 170 jobs earmarked to be created over a few years.

The planning application which was made in May last year had received a large number of submissions and written objections from people living near the plant.

The council's planners considered the residents' submissions before making their decision to allow the plant to commence construction.

When built, the plant will extend to 61,500 sq ft and it will cost approximately €8m to build before the internal equipment fit-out costs.

Established in 1990, Hibernia Steel has been based in Drogheda and Slane for 33 years and currently employs 40 people.

The plant will be the first company to open in the new IDA park on the North Road.

Hibernia Steel's planning permission application had the approval of the IDA and the financial support of Enterprise Ireland.

The company will galvanise up to 36,000 tonnes of regular steel at the facility every year.

The business concept is to import regular steel and galvanise it in a large tank in the plant thereby increasing its quality and value.

CEO Raymond Moore junior told the Drogheda Leader "Unlike the traditional image (of a metals industry) or what people might imagine at first, this is a clean green industry."

He added, "It will create 70 jobs when it opens initially and we hope it can grow into 170 jobs over a few years."

Enterprise Ireland said it believes up to 200 jobs could be created.

Hibernia Steel will construct the industrial plant on an 8-acre site and it will take up nearly 20% of the IDA park's space.

Enterprise Ireland has described the specialised plant as having "leading-edge technology."

A 3,186 sq.ft two-storey glass-fronted office building will also be built at the entrance of the site.

A family business, the company was founded by Ray Moore senior and his wife Marie and in recent years their son 40-year-old Raymond Moore junior took over the managing director's role.

Enterprise Ireland had offered the company potential sites in Dundalk last year but the Moore family decided they wanted it in their home town.

## Love Drogheda BIDs responds to d-Hotel removal



Love Drogheda Business Improvement District has issued a statement in which it says it is hugely disappointed in the decision that has been taken by the Department of Children, Equality, Disability, Integration and Youth to confirm the removal of the d-Hotel as visitor accommodation from the town centre of Drogheda.

The group said, "This decision lacks any basis in strategic, long-term thinking and will have long-lasting consequences on the tourism, hospitality, and retail sector of the town."

The statement added, "The lack of transparency in the decision-making process is particularly troubling. From a business perspective, we have questioned the removal of the largest visitor accommodation in the town and whether any economic impact analysis had been undertaken."

Trevor Connolly the CEO of Love Drogheda BIDs said, "Over the last month we have worked in collaboration with our

colleagues in Dr Chamber of Commerce our TDs and local representatives relay the potential economic impact this will have and how lasting the consequences of the same decision be. We have engaged three meetings with government officials including Minister Humphreys, McEntee, and to ensure there was full awareness of the potential economic impact related decision. Despite efforts, on March received correspondence from the Minister that dual use of is not viable, moving a value of tourism infrastructure from the town gion."

He concludes unilateral decision significant impact for Drogheda and our ability to overnight accommodation to support growth of some hugely popular and events that evolved over number of years