

RECORD OF CHIEF EXECUTIVE'S ORDER

LOUTH COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

Chief Executive Order No: 796/2020
Register Reference Number: 20802
Date Application Received: 07/10/2020
Type of Application: EXTENSION OF DURATION

Description of Development: EXTENSION OF DURATION REF 09510109 10 year planning permission. Construction 7 buildings ranging in height from 1 to 20 storeys with roof gardens, solar panels, podium gardens & balconies, containing 457 no. Apts(47 no.1-bed, 326no.2-bed,84no.3-bed), 10,527sq.m. Retail/Retail services flr space, 24,055sq.m.professional/financial/other services office type flr space, COU from office to a maritime museum within the Chemical Manure Bld 150sq.m. (Protected Structure DB-147),2 no.childcare facilities, a hotel(13,924sq.m.containing 188 no.rooms,restaurant,public bar,conference & spa facilities,service areas,public open space areas,new road infrastructure, vehicular bridge across the River Boyne connecting south & north quays,under-podium parking(1114 spaces)with vehicular & pedestrian access from Marsh Rd,demolition of all blds & structures currently on site incl.an extg.habitable dwelling & with the exception of the Chemical Manure Bld & all assoc.site dev.works,landscaping & boundary treatments includ.removal of contaminated soils & reclamation of land from the River. E.I.S. accompanies application. Amendments to the proposed development include but are not limited to the following – a revised site layout including the repositioning of vehicular access point from the Marsh Road and revised internal road layout, creation of two number berths, reduction in height and redesign of block A and E. Omission of blocks C and G, the introduction of a new building block I, three storeys over basement as a restaurant/café/bar, revised internal layout in Block H (Chemical Manure Building – protected structure Ref. DB – 147) relocation and redesign of crèche within block F and reduction in basement car parking to one level and 585 car parking spaces. The total gross floor area has been reduced from 82,167 square metres to 60,259 square metres.

Name of Applicant: Tony Caffrey John Gilroy Donal Kinsella

Location of Development: lands bounded by River Boyne- North Marsh Rd-South, Ship St-East , Scotch Hall Phase2-West Drogheda, Co. Louth

Recommendation: I hereby recommend that permission be **REFUSED** for the development described above, for the reason(s) set out in the Schedule hereunder.

Signed: Gerard Brennan **Dated:** 12/4/20
Gerard Brennan
Executive Planner

ORDER:

In pursuance of the powers conferred upon the Council by the above acts, I concur with the above recommendation and I hereby decide to REFUSE permission for the development described above, for the reason(s) set out in the Schedule hereunder.

Signed: _____



Date: 19/11/2020

Frank Pentony
Director of Services

To whom this function has been delegated in accordance with the provisions of Section 154 of the Local Government Act, 2001 by Order No. CE.S 276/19 dated 27th day of September 2019.

Louth CC, Planning Department - Viewing Purposes Only

LOUTH COUNTY COUNCIL

L.C.P.796/2020

REFERENCE NO. 20/802

Schedule

1. Section 42(1) (a) (ii) of the Planning & Development Amendment Acts 2000 - 2010 for an Extension of the Appropriate Period stipulates the authority must be satisfied '*where the development has not commenced, that an environmental impact assessment, or an appropriate assessment, or both of those assessments, if required, was or were carried out before the permission was granted.*'

It is noted that under 09/510109 a NIS screening exercise was not carried out before permission was granted and as such, the Planning Authority is precluded from further extending the appropriate period beyond what was permitted under PI. Ref. 09/510109.

2. Section 42(1) (a) (ii) of the Planning & Development Amendment Acts 2000 - 2010 for an Extension of the Appropriate Period stipulates *that the development would not be inconsistent with the proper planning and sustainable development of the area having regard to any guidelines issued by the Minister under section 28, notwithstanding that they were so issued after the date of the grant of permission in relation to which an application is made under this section.*

Floodinfo.ie shows that the subject site is located in an area that is vulnerable to flooding. The applicant has not demonstrated that the proposed development is consistent with the proper planning and development of the area having regard to Flood Risk Management Guidelines (2009).