



An
Coimisiún
Pleanála

Direction
CD-022075-26
ACP-323966-25

The submissions on this file and the Inspector's report were considered at a meeting held on 09/04/2026.

The Commission decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Planning

Commissioner:

Patricia Callear
Patricia Callear

Date: 09/04/2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

1. Notwithstanding the Commission's conclusion that the proposed development, including its layout and design, is acceptable in principle, having regard to the recognised deficiencies in the existing wastewater network serving Dundalk, the uncertainty around the timeline for the delivery of required upgrades, including the Coe's Road Project, it is considered that the proposed development would be premature by reference to the existing deficiency in the sewerage infrastructure required to adequately service the proposed development. Furthermore, in the absence of site specific design specifications for the proposed wastewater storage tank, operational and maintenance details, including the necessary controlled release of wastewater and the impact of this

additional pressure on the existing network, it is considered that the construction resilience cannot be determined nor the potential for blockage, rainwater ingress and structural failure, and, as such, the proposed development would be contrary to Policy Objective INF 4 of the Dundalk Local Area Plan 2025-2031 which seeks 'to require all new developments to connect to the public supply where public water and wastewater infrastructure is available, or likely to be available, and which has sufficient capacity'. The proposed development would set an undesirable precedent for other similar developments in the surrounding area, and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the information provided in the Environmental Impact Assessment Report (including in relation to the Water Framework Directive) and the accompanying Appropriate Assessment Screening Report and Natura Impact Statement, and all associated material submitted with the planning application and the appeal, the Commission is not satisfied that the design of the proposed development, combined with the proposed mitigation measures, adequately address the indirect pathway via the wastewater discharge from Dundalk Wastewater Treatment Plant during the operational phase of the proposed development, would prevent adverse effects on the integrity of the Dundalk Bay Special Area of Conservation (Site Code: 000455) and the Dundalk Bay Special Protection Area (Site Code: 004026) and in the absence of necessary infrastructure required to accommodate the proposed development and the uncertainty around the delivery of same, there is reasonable scientific doubt as to the absence of adverse effects on European Sites. Furthermore, it is considered that the proposed development has the potential to compound discharges from the Dundalk Wastewater Treatment Plant which, at times, is not meeting emissions standards and having regard to the uncertainty around the proposed delivery of necessary upgrade works to the wastewater infrastructure (including the Coe's Road. project), the absence of site-specific design details for the proposed wastewater storage tank on site, the risk to the water environment cannot be determined. The Commission is not satisfied that the proposed development would not pose an unacceptable risk of environmental

pollution and, as such, the proposed development is considered to be contrary to the proper planning and sustainable development of the area.

Note:

The Commission noted names of four appellant parties listed on the front pages of the inspector's report. The Commission was satisfied that the six appeals on the file (in addition to the two observations on file) were considered as part of the inspector's assessment and referred to within the inspector's report and were also considered by the Commission in its deliberations on the appeal.