

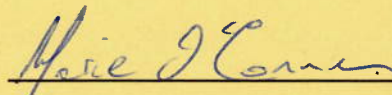
An
Coimisiún
Pleanála

Commission Direction
CD-000537
PL-500603-LH-26

The submissions on this file and the Inspector's report were considered at a meeting held on 30 April 2026.

The Commission decided to grant permission generally in accordance with the Inspector's recommendation.

Planning Commissioner:



Marie O'Connor

Date:

14th day of May 2026

Having regard to the following:

- a) the location of the site on lands zoned for A2 – ‘Residential’ within the Louth County Development Plan 2021-2027
- b) Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024),
- c) Design Standards for Apartment Guidelines (2025),

- d) The nature, scale and design of the proposed development comprising an amendment to a permitted development on the site,
- e) the existing pattern of development in the area,
- f) the availability of a wide range of physical, social and community, infrastructure and services in the area,
- g) The proximity of the site to transportation modes,

It is considered that, subject to compliance with the conditions set out below, the proposed development would not have a detrimental impact on traffic in the local area. The sightlines provided from the proposed access are in compliance with DMURS standards as set out under Section 13.16.17 of the Louth County Development Plan 2021 – 2027 and the necessity to provide a vehicular access to the adjoining development is not required or justified based on the Traffic and Transport Assessment provided and Road Safety Audit. It is further considered that the reuse of the Protected Structure RPS LHS 018-023 for use as a Childcare facility aligns with policy objective SC 35 of the Louth County Development Plan 2021 to 2027 to support the provision of childcare facilities in appropriate and sustainable locations.

The proposal as set out constitutes an acceptable scale and density of development in this urban location, would not seriously injure the residential or visual amenities of the area or properties in the vicinity, would be acceptable in terms of layout, urban design, and would be acceptable in terms of pedestrian safety and convenience, and would not be detrimental to conservation objectives of an European Sites or to the quality of receiving waters. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 14th day of November 2025 and received by An Coimisiún Pleanála on 12th day of January 2026, except as may otherwise be required in order to comply with the following conditions. 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 and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (a) Details of all works to, and boundary treatment of, the protected structure to provide the Creche facility, outlined as indicative in the plans and particulars submitted on 12th January 2026, shall be submitted to, and agreed in writing with the planning authority prior to the commencement of development.

(b) Not more than 75% of residential units shall be made available for occupation before completion of the childcare facility unless the developer can demonstrate to the written satisfaction of the planning authority that a childcare facility is not needed at this time.

Reason: To ensure that childcare facilities are provided in association with residential units, in the interest of residential amenity.

3. Details of the materials, colours and textures of all the external finishes to the proposed dwellings including the height and layout of screen walls shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Screen walls for elevated gardens associated with Units D1-01 to D1-06 shall be a minimum of 1.8 metres.

Reason: In the interest of residential and visual amenity and the privacy of adjacent dwellings to the rear.

4. All service cables associated with the proposed development (such as electrical, telecommunications and communal 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.

5. (a) The internal road network serving the proposed development including turning bays, junctions internally and with the public road, parking areas, access road to service areas, footpaths, and kerbs shall comply with the detailed construction standards of the planning authority for such works and the design standards outlined in Design Manual for Urban Roads and Streets (DMURS).

(b) Footpaths shall be dished at road junctions in accordance with the requirements of the planning authority. Details of all locations and materials to be used shall be submitted to, and agreed in writing with the planning authority prior

to the commencement of development.

Reason: In the interest of amenity and of traffic and pedestrian safety.

6. (a) The car parking facilities hereby permitted shall be reserved solely to serve the proposed development. All car parking spaces shall be assigned permanently for the residential development, childcare provision and retail provision. Carparking shall be reserved solely for that purpose. The residential spaces shall not be utilised for any other purpose.

(b) Prior to the occupation of the development, a Parking Management Plan shall be prepared for the development and shall be submitted to and agreed in writing with the Planning Authority.

Reason: To ensure that adequate parking facilities are permanently available to serve the proposed residential units and the remaining development.

7. All the communal parking areas serving the residential units shall be provided with functional electric vehicle charging points, and all of the in-curtilage car parking spaces serving residential units shall be provided with electric connections to the exterior of the houses to allow for the provision of future electric vehicle charging points. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of sustainable transportation.

8. Drainage arrangements including the attenuation and disposal of surface water shall comply with the requirements of the Planning Authority for such works and services.

Reason: In the interest of public health and surface water management.

9. (a) The developer shall enter into water and waste water connections and diversion agreement(s) with Úisce Éireann, prior to commencement of development.

Reason: In the interest of public health.

10. The site shall be landscaped (and earthworks carried out) in accordance with the detailed comprehensive scheme of landscaping, which accompanied the application submitted, unless otherwise agreed in writing with, the Planning Authority prior to commencement of development.

Reason: In the interest of residential and visual amenity.

11. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company, or by the local authority in the event of the development being taken in charge. Detailed proposals in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure the satisfactory completion and maintenance of this development.

12. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects", published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interest of sustainable waste management.

13. The construction of the development shall be managed in accordance with a Construction Environmental Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development with measures to reflect mitigation described in the submitted draft Construction Environmental Management Plan, Ecological Impact Assessment and Tree Survey, in addition to the following:

(a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse.

- (b) Location of access points to the site for any construction related activity.
- (c) Location of areas for construction site offices and staff facilities.
- (d) Details of site security fencing and hoardings.
- (e) Details of on-site car parking facilities for site workers during construction.
- (f) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site.
- (g) Measures to obviate queuing of construction traffic on the adjoining road network.
- (h) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network and for the cleaning of the same.
- (i) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during site development works.
- (j) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels.
- (k) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater.
- (l) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil.
- (m) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

(n) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority. Reason: In the interest of amenities, public health and safety.

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14. Site development and building works shall be carried out only between the hours of 0700 to 1900 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.

15. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the Planning Authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the Planning Authority or any other prospective party to the agreement to An Bord Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Act 2000, as amended, and of the housing strategy in the development plan of the area.

16. (a) Prior to the commencement of the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant residential units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.

(b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each of the residential units for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.

(c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.

Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

17. Prior to commencement of development, the developer shall lodge with the Planning Authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the Planning Authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

18. The developer shall pay to the Planning Authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement,

the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.