An Coimisiún Pleanála

Commission Direction
CD-001520
PL-500947-LH-26

The submissions on this file and the Inspector's report were considered at a meeting held on 11 November 2026.

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

Planning Commissioner: Marie O'Connor

Marie O'Connor

Date: **13th day of November 2026**

DRAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to the totality of the information on file and to the description of the proposed development as retention permission for a replacement dwelling it is considered that sufficient evidence has not been provided in accordance with section 3.19 Replacement Dwellings, where there is a general presumption

in favour of retaining and refurbishing traditional vernacular dwellings, and with the standards and criteria set out in section 13.9.13 Replacement Dwellings of Chapter 13 Development Managment Guidelines of the Louth County Development Plan 2021-2027, including that the original dwelling was no longer habitable/in residential use at the time of its demolition. It is also considered that sufficient justification has not been provided to demonstrate that the vernacular thatched cottage at the time of demolition was not reasonably capable of being made structurally sound or that sufficient consideration was given to retaining, adaption or incorporation of the vernacular building into the design of the proposed new dwelling in accordance with section 13.9.11 Restoration and Replacement and section 3.18 Vernacular Dwellings/Buildings of the Development Plan. It is therefore considered that the proposed development would contravene policy objectives BHC 42, HOU 50 and HOU 53 of the Louth County Development Plan 2021 and would be contrary to the proper planning and sustainable development of the area.

Note:

The Commission considered that the proposed dwelling did not satisfy the criteria as a replacement dwelling and as the site is located in a rural area identified on Maps 3.1 and 3.2 of the Louth County Development Plan, 2021-2027 as being within Rural Policy Zone 2, defined as an 'Area Under Strong Urban Influence' and Policy Objective HOU 43 requires applicants to demonstrate compliance with the Local Needs Qualifying Criteria relative to the Rural Policy Zone set out in Tables 3.4 and 3.5. In addition, taking account of the information on the file, including the absence of information relating to the suitability of the site for

discharge to ground, lack of details regarding the date of installation and total capacity of the existing domestic wastewater treatment system and percolation area, lack of details of any upgrades required to the existing system and given the increased occupancy of the dwelling to be retained compared to the cottage which previously existed at the site, the Commission is not satisfied that the applicant has clearly demonstrated that the existing wastewater treatment system on site can adequately dispose of wastewater generated by the dwelling proposed to be retained in accordance with the requirements of Section 13.9.17 (Wastewater Treatment and Water Supply) of the Louth County Development Plan 2021-2027, which require that wastewater treatment systems for single rural dwellings are in accordance with the Code of Practice: Domestic Waste Water Treatment Systems (Population Equivalent ≤10) - Environmental Protection Agency (2021).

Although ordinarily these matters might warrant further consideration and a request for further information, in this instance given the substantive reasons for refusal above, it was decided not to pursue these matters under the current appeal.