



An
Bord
Pleanála

Board Order ABP-315402-22

Planning and Development Acts 2000 to 2022

Planning Authority: Louth County Council

Planning Register Reference Number: 22/135

Appeal by Liza Halpin care of Stephen Ward Town Planning and Development Consultants of Jocelyn House, Jocelyn Street, Dundalk, County Louth against the decision made on the 25th day of November, 2022 by Louth County Council to refuse permission.

Proposed Development: Construction of 44 number apartments (23 number one-bedroom and 21 number two-bedroom) in the form of a new six-storey apartment building (40 number units) and by the conversion of an existing two-storey brick building (four number units) at Rice's Yard. The application site is bounded to the north by Seatown Place and the rear of numbers 20 to 24 Seatown Place, to the south by the Ramparts River, and the east and west by lands and the rear gardens of properties fronting Seatown Place. Vehicular and pedestrian access to the site will be via the existing established access to Rice's Yard, between numbers 18 and 20 Seatown Place. Other than the original two-storey brick building on the site that will be converted into four number apartments, the planning application provides for the demolition and clearance of all other existing structures on site, removal of modern additions to the existing two-storey brick building on site together with all associated site development works, car parking, landscaping, boundary treatments, public lighting and improvement works to the existing site entrance, all at Rice's Yard, 19 Seatown Place, Dundalk, County Louth, as revised by the further public

notices received by the planning authority on the 11th day of October, 2022 which included a reduction in the number of apartments proposed and a revised Natura Impact Statement.

Decision

REFUSE permission for the above proposed development for the reasons and considerations set out below.

Reasons and Considerations

1. Having regard to the scale form and disposition of the proposed development, the car parking and layout of public open space, with no open space provision alongside the Ramparts River, it is considered that the proposed development would be contrary to Policy Objective IU 25 of the Louth County Development Plan 2021-2027 which seeks 'To ensure that no development, including clearing or storage of materials, takes place within a minimum distance of 10 metres measured from each bank of any river, stream or watercourse'. The proposed development would be contrary to the provisions of the Louth County Development Plan 2021-2027, would detract from the residential amenity for future occupants, would set an undesirable future precedent for inappropriately sited and overly dominant structures along the Ramparts River, and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. It is considered that the layout and configuration of the proposed development, whereby a large number of balconies and habitable room windows on the building's western elevation are sited within close proximity to the western boundary, would compromise the future development potential of the adjoining site and would set an undesirable precedent for similar development in the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Peter Mullan

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this *15th* day of *February*, 2024.