

An  
Bord  
Pleanála

## Board Order ABP-316150-23

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Louth County Council**

**Planning Register Reference Number: 22/922**

**Appeal** by Denis and Joanne Daly of 4 Golden Ridge, Lower Point Road, Dundalk, County Louth and by Alan and Bernice Clarke of 5 Golden Ridge, Lower Point Road, Dundalk, County Louth against the decision made on the 10<sup>th</sup> day of March, 2023 by Louth County Council to grant permission subject to conditions to Declan Flood care of McGahon Architects Limited of 19 Jocelyn Street, Dundalk, County Louth in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Permission for two number two-storey (four bedroom) dwellinghouses and associated site works all at Golden Ridge, Lower Point Road, Dundalk, County Louth.

### Decision

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## Reasons and Considerations

Having regard to the A1 Existing Residential zoning objective pertaining to the site, the provisions of the Louth County Development Plan 2021-2027, the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, 2024 and the scale and nature of the proposed development, it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of property in the vicinity, would not be prejudicial to public health and would be acceptable in terms of traffic and pedestrian safety and visual amenity. 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 16<sup>th</sup> day of February 2023 and by the further information received by An Bord Pleanála on the 3<sup>rd</sup> day of May 2023, 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. The developer shall enter into water and wastewater connection agreements with Uisce Éireann, prior to commencement of development.

**Reason:** In the interests of clarity and public health.

3. Details of the materials, colours and textures of all the external finishes to the proposed dwellings and boundaries shall be as submitted with the application, unless otherwise agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

4. Drainage arrangements including the attenuation and disposal of surface water and the positioning of soakage trenches within each of the sites, 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.

5. The site shall be landscaped (and earthworks carried out) in accordance with a detailed scheme of landscaping, which shall be submitted to and agreed in writing with the planning authority prior to commencement of development. The scheme shall include provisions for hard and soft landscaping within the site, boundary treatments and include measures for the protection of trees within and adjoining the site.

**Reason:** In order to ensure the satisfactory completion of the development.

6. Proposals for a house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all house numbers, shall be provided in accordance with the agreed scheme.

**Reason:** In the interest of urban legibility.

7. (a) All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. The cables shall avoid roots of trees and hedgerows to be retained in the site. Ducting shall be provided by the developer to

facilitate the provision of broadband infrastructure within the proposed development.

- (b) The parking spaces shall be provided with functioning electric vehicle charging stations/points or ducting to facilitate same.

**Reason:** In the interests of visual and residential amenity.

- 8. A plan containing details for the management of waste within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

**Reason:** To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

- 9. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

**Reason:** In the interest of sustainable waste management.

10. The construction of the development shall be managed in accordance with a Construction and Traffic 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, including:
- (a) Location of the site and materials compounds including areas identified for the storage of construction refuse; areas for construction site offices and staff facilities; site security fencing and hoardings; and car parking facilities for site workers during the course of construction;
  - (b) 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; measures to obviate queuing of construction traffic on the adjoining road network; and measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
  - (c) Details of the implementation of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
  - (d) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains. The measures detailed in the construction management plan shall have regard to guidance on the protection of fisheries during construction works prepared by Inland Fisheries Ireland.

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 interests of amenities, public health and safety.

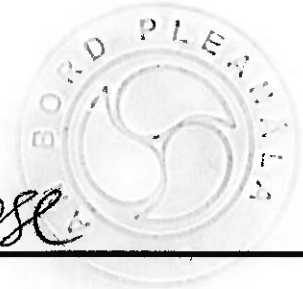
11. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Saturdays inclusive, and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

12. 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 Bord 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.

*Una Crosse*



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**Una Crosse**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

Dated this *19<sup>th</sup>* day of *March* 2024