

Planning and Development Acts 2000 to 2022

Planning Authority: Louth County Council

Planning Register Reference Number: 22866

APPEAL by David Bastible of 60 Point Road, Dundalk, County Louth against the decision made on the 14th day of July, 2023 by Louth County Council to grant subject to conditions a permission to Clovelly Developments Limited care of Denis Williams Design Services Limited of Block 2, Quayside Business Park, Mill Street, Dundalk, County Louth.

Proposed Development: Permission for (i) the demolition of an existing two storey building comprising of retail unit at ground floor level and habitable living accommodation over same and adjoining single storey derelict dwelling house and its outbuildings; (ii) the construction of one number three storey residential building consisting of one number one bed apartment along with one number two bed apartment at ground floor level and three number two bed duplex apartment at first and second floor level, comprising of five number apartment units total at the front side of site; (iii) the construction of one number single storey residential building comprising of two number one bed apartment at the rear of the site, as well as external bin storage area, landscaping, car parking and (iv) all associated site development and boundary treatment works at 64 and 66 Point Road, Dundalk, County Louth. The further public notices were received by the planning authority on the 26th day of June, 2023 as follows amendments to the proposed design consisting of boundary and landscaping considerations to include the construction of a

bicycle shelter along with the omitting of one number residential unit and elevational changes to the apartment block at the front of the subject site.


Decision

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

Reasons and Considerations

The Board considers that the proposed residential units 1 and 3, as indicated in the plans and particulars received by the planning authority on the 26th day of June 2023, are 'houses' having regard to the definition given to 'apartments' at section 1.11 in the 'Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities (Department of Housing, Local Government and Heritage updated 2023)' and in Appendix A of the 'Sustainable Residential Development and Compact Settlements - Guidelines for Planning Authorities' (Department of Housing, Local Government and Heritage 2024). In that regard, the proposed private open space serving the said units 1 and 3 is substantially below the 30 square metres minimum private open space standard for two-bed houses specified in SPPR 2 of the 'Sustainable Residential Development and Compact Settlements - Guidelines for Planning Authorities' and also substantially below the 50 square metres private open space requirement specified in Table 13.4 of the Louth County Development Plan 2021-2027. The proposed development would, therefore, provide substandard amenity for future occupants and would set an undesirable precedent for the provision of private open space for houses. Furthermore, these housing units 1 and 3 would back onto Point Road with their front door located in the 'rear elevation' as indicated drawing titled 'Front Block General Arrangement Drawings' (received by the planning authority on the 26th day of June 2023), resulting in a non-integrated form of development with a poor relationship with the public domain. The

proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Tom Rabbette

Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this th10 day of July 2024.