

Planning and Development Acts 2000 to 2022

Planning Authority: Louth County Council

Planning Register Reference Number: 22827

Appeal by Armagh Construction Limited care of Genesis Planning Consultants of Dean Swift Building, Armagh Business Park, Hamiltonsbawn Road, Armagh against the decision made on the 1st day of September, 2023 by Louth County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Permission for a residential development consisting of: (1) Demolition of (a) two-storey sports hall and single storey science block (modern extensions to the former Saint Mary's School); (b) outbuildings within the curtilage of the protected structures and (c) boundary stone wall to Nicholas Street; (2) Construction of the following: (a) a three-storey apartment block comprising nine number apartments in total of which there are six number one bedroom and three number two bedroom units, all with balconies or ground floor terraces; (b) 16 number duplex apartments which contains eight number two bedroom ground floor apartments with associated private open space to the rear along with eight number three bedroom duplex apartments at the first and second floor with enclosed terraces at first floor level; (c) the adaption, extension and change of use of the former Saint Mary's College (protected structure reference numbers 13702025 and 13702026) to provide for a total of 32 number apartments with

associated adaption works to include for provision of an internal lift and external balconies. The apartment mix to be provided within the former Saint Mary's College comprises one number studio apartment, nine number one bedroom units, 19 number two bedroom units and three number three bedroom units; (d) the change of use of the former Gospel Hall from education use to a community hall; (e) the creation of a new vehicular entrance from Nicholas Street; (f) the refurbishment, reconfiguration and realignment of the interface wall between the sports hall and the original school building; (g) associated bin and bicycle storage buildings; (h) the provision of 50 number car parking spaces to serve the overall development along with associated electrical vehicle charge points; (i) provision of internal access road, footpaths and communal space areas to include all hard and soft landscape works with public lighting, planting and boundary treatments; (j) internal site works and attenuation systems to include a hydrocarbon and silt interceptor on the storm network prior to discharge to the adjacent watercourse; (k) all ancillary site development/construction works to facilitate foul, water and service networks for connection to the existing foul, water, gas and ESB networks along with provision of an ESB substation. The proposed works relate to the protected structures within the site (former house protected structure reference 13702025 and the former school Saint Mary's College, protected structure reference 13702026) on lands at the former Saint Mary's College, Saint Mary's Road and Nicholas Street, Dundalk, County Louth as revised by the further public notices received by the planning authority on the 18th day of November 2023.

Decision

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to **AMEND** condition number 20 so that it shall be as follows for the reason set out.

20. The development shall be carried out on a phased basis as follows:

- (i) Not more than 50% of the proposed new build apartments shall be occupied until works have commenced on the refurbishment of Saint Mary's College (Protected Structure) for apartments as provided for in this grant of planning permission, and
- (ii) No more than 75% of the new build apartments shall be occupied until the refurbishment of Saint Mary's College has been completed in full, together with all associated site development works. Details of the exact number of residential units to be completed under phase 1 and phase 2 shall be agreed in writing with the planning authority prior to the commencement of development.

Reason: To ensure the timely completion of the refurbishment of Saint Mary's College in the interest of the proper planning and sustainable development of the area.

Reasons and Considerations

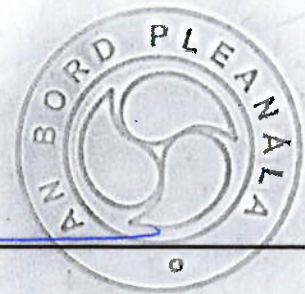
Having regard to the zoning of the site and the policies in the Louth County Development Plan 2021-2027 which aim to promote residential development and support the regeneration of vacant and underutilised buildings together with a national guidance in respect of architectural heritage, which seeks to promote and reuse redundant and underutilised protected structures, it is considered reasonable that the development be phased to ensure the timely delivery of the works to the protected structure to provide residential accommodation in accordance with the proper planning and sustainable development of the area. Condition Number 20, as amended, is therefore warranted.



Paul Caprani

Member of An Bord Pleanála

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



Dated this 1st day of November 2024