

An  
Bord  
Pleanála

## Board Order ABP-319208-24

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Louth County Council**

**Planning Register Reference Number: 23/481**

**Appeal** by Talitha, Rafael and Gabriella Matthews of Tankardsrock, Kilkerley, Dundalk, County Louth against the decision made on the 9<sup>th</sup> day of February, 2024 by Louth County Council to refuse permission.

**Proposed Development:** Construction of six number three-bedroom semi-detached dwellings and all associated site development works, including demolition of existing dwelling, all at Mill Road, Dundalk, County Louth.

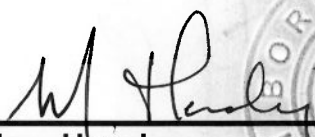
### **Decision**

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

## Reasons and Considerations

1. Having regard to the submitted surface water management proposals, including the lack of survey and testing information or details in relation to surface water treatment and ground levels across the site, and having regard to the proximity of the proposed development to the Castletown river system within the site, and the potential for significant detrimental impacts in that regard, it is considered that the provision of appropriate surface water drainage systems have not been clearly demonstrated having regard to the requirements of Policy Objectives IU 19 and ENV 15 of the Louth County Development Plan 2021-2027. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the nature and proximity of development along and over the Castletown river system within the site, and the lack of details submitted in relation to the proposed works, including details of surface water management, ground level changes, and construction management, and having regard to the nature and content of the submitted Appropriate Assessment screening report, and the findings of the Appropriate Assessment screening of the proposed development undertaken by the Board, it is considered that the application has not demonstrated that the proposed development would protect and conserve areas designated under the EU Habitats and Birds Directives in relation to the Dundalk Bay Special Area of Conservation (Site Code: 000455) and the Dundalk Bay Special Protection Area (Site Code: 004026) and, as such, has not demonstrated due regard to, or compliance with, Policy Objective NBG 3 of the Louth County Development Plan 2021-2027. On the basis of the information on file, the Board is not satisfied that the proposed development, either individually or in combination with other projects, would not be likely to have a significant effect on the Dundalk Bay Special Area of Conservation (Site Code: 000455) and the Dundalk Bay Special Protection Area (Site Code: 004026). In such circumstances, the Board is precluded from granting permission for the proposed development.



**Mary Henchy**

**Member of An Bord Pleanála**

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

Dated this 11<sup>th</sup> day of April 2025.