



An  
Bord  
Pleanála

## Board Order ABP-319594-24

**Planning and Development Acts 2000 to 2022**

**Planning Authority: Louth County Council**

**Planning Register Reference Number: 23/60078**

**Appeal** by Anneville Crescent Residents' Association care of John Murphy of 39 Anneville Crescent, Drogheda, County Louth against the decision made on the 28<sup>th</sup> day of March, 2024 by Louth County Council to grant subject to conditions a permission to James McKeivitt and Keith O'Leary care of Ger Fahy Planning of Mulhussey, Maynooth, County Kildare.

**Proposed Development:** Construction of 13 number residential units within two number new blocks: one number three-storey/two-storey block (consisting of three number one-bed apartments, three number two-bed duplex dwellings and one number three-bed dwellings) and one number three-storey block (consisting of three number two-bed apartments and three number three-bed duplex dwellings).

Demolition of two number existing outbuildings. New internal circulation road, pedestrian footpaths, carparking, bicycle parking, bin store, public open space, boundary treatment and landscaping. All associated site development and infrastructure works, all at 47 and 50 North Road, Drogheda, County Louth, which is in the curtilage of a protected structure (ref. DB-310; NIAH registration no.

13616003), as amended by the further public notices received by the planning authority on the 7<sup>th</sup> day of March, 2024 which included revisions to fenestration of elevations, revisions to floor plans and private amenity space, revisions to internal circulation road, pedestrian footpaths, car parking, bicycle parking, bin and bulky

store, public open space, boundary treatment and landscaping, proposed public lighting and all associated site development and infrastructure works.

## **Decision**

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

## **Reasons and Considerations**

1. Having regard to the provisions of the Louth County Development Plan 2021-2027, in particular Policy Objectives HOU15, HOU20 and HOU24, and the Sustainable Residential and Compact Settlement Guidelines for Planning Authorities (2024), it is considered that, by reason of its inadequate qualitative and quantitative provision of public, private and communal open space, the proposed development would constitute an excessive density of development on this restricted site which is within the curtilage of a Protected Structure (DB-310). The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the provisions of the Louth County Development Plan 2021-2027, in particular Policy Objective BHC 20, it is considered that the design and layout of the proposed development is not sensitive to its setting within the curtilage of the Protected Structure or to the residential amenity of the adjoining residential properties and would seriously injure the amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board agreed with the Inspector that development on this site is generally acceptable and noted that higher density and a shortfall in public, communal and private open space may be considered in specific circumstances; however, it was considered that the overall design quality of the proposed development did not sufficiently compensate for the shortfalls identified.



**Marie O'Connor**

**Member of An Bord Pleanála**

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



Dated this 28 day of February 2025.