



An
Coimisiún
Pleanála

Commission Order
ABP-322222-25

Planning and Development Acts 2000 to 2024

Planning Authority: Louth County Council

Planning Register Reference Number: 2560018

APPEAL by Zirbac DLK Limited care of Stephen Ward Town Planning and Development Consultants Limited of Jocelyn House, Jocelyn Street, Dundalk, County Louth against the decision made on the 6th day of March, 2025 Louth County Council to refuse permission.

Proposed Development: A large-scale residential development (LRD) for development to consist of 194 number apartments (32 number one-bed, 133 number two-bed and 29 number three-bed) in eight number distinctive blocks (A to H) ranging in height from part one storey to five storeys in height across the site together with all associated public, communal and private open space, car parking, cycle parking (including lockers) and bin storage structures, all associated site development works and services including public lighting and two number ESB substations. Site works include the raising of the site in parts and the diversion of existing piped infrastructure. The proposed development provides for a childcare facility within Block A. The childcare facility will have its own outdoor play space and set down area as well as staff car parking and bicycle parking. In order to preserve the integrity of the existing pedestrian/cycle track from the Dublin Road to the Avenue Road (Long Avenue) and the open section of the River Blackwater that run north-south broadly through the centre of the site, two separate vehicular accesses are proposed to serve the development from the Dublin Road/Hill Street. A

pedestrian/cycle only link will be provided across the Blackwater River. The first vehicular access will be a new access onto Dublin Road/Hill Street and will serve 75 dwellings. The second vehicular access is the existing access road onto Dublin Road at Mourne View Hall which will provide access to 119 number apartments. A new bus stop will also be provided fronting onto Dublin Road along with cycle stands for the proposed Dundalk Bike Scheme, all at Hill Street/Dublin Road to the rear of dwellings that front Hill Street (Line Terrace), Gosling's Terrace and Avenue Road (Long Avenue), Dundalk, County Louth. The development known as Mourne View Hall adjoins parts of east and south boundaries of the application site.

Decision

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

Reasons and Considerations

1. A significant portion of the proposed development is in an area which is deemed to be at risk of flooding by reference to the Louth County Development Plan 2021-2027 ('the Development Plan') and the documentation submitted with the application and appeal. The provisions of the Development Plan follow the key principles of 'The Planning System and Flood Risk Management Guidelines for Planning Authorities' issued by the Department of Environment Heritage and Local Government and Office of Public Works in 2009 ('the Flood Risk Management Guidelines') by firstly aiming to avoid flood risk where possible, which is considered reasonable. It is considered that the proposed development of highly vulnerable residential use in areas of flood risk would be contrary to the precautionary approach outlined in the Flood Risk Management Guidelines, would materially contravene Development Plan Policy Objective IU 33, and would be contrary to Development Plan Policy Objectives IU 26 and IU 27. The proposed development would, therefore, result in an increased flood risk both

within the proposed development and on surrounding lands, would be prejudicial to public health and safety, and would be contrary to the proper planning and sustainable development of the area.

2. Policy Objective HOU 24 of the Louth County Development Plan 2021-2027 requires the provision of high quality areas of public open space in new residential developments that are functional spaces, centrally located and passively overlooked. Having regard to the absence of any dedicated communal amenity space to serve proposed Blocks C and E, the substandard size of the space proposed to serve Blocks A and B and the substandard design quality and functionality of the proposed space to serve Blocks F and G, it is considered that the proposed development would fail to adequately address and would be contrary to Policy Objective HOU 24. It is considered, therefore, that the proposed development would provide a substandard form of development for future occupiers in terms of residential amenity, would give rise to a poor standard of development, and would, therefore, be contrary to the proper planning and sustainable development of the area.



Paul Caprani

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this 16th day of July 2025.