

An
Coimisiún
Pleanála

Commission Order
ACP-323561-25

Planning and Development Act 2000, as amended

Planning Authority: Louth County Council

Planning Register Reference Number: 2511

Appeal by Dympna O'Brien of 15 Saint Mary's Cottage, Drogheda, County Louth against the decision made on the 8th day of August, 2025 by Louth County Council to grant subject to conditions a permission to Harry McArdle care of McNamee Chartered Building Surveyor's Limited of Bantry House, Jocelyn Place, Dundalk, County Louth in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a new two storey dwellinghouse, new vehicular entrance off Cromwell's Lane and all associated site works at Junction of Blackbush Lane and Cromwell's Lane, Drogheda, County Louth.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations set out below.

Reasons and Considerations

Having regard to the policies and objectives of the Louth County Development Plan 2021- 2027 (as varied), the nature, scale and design of the proposed development, the location and specific characteristics of the site and the pattern of development in the surrounding area, it is considered that, subject to compliance with the conditions set out below, the proposed development would contribute to compact and sustainable growth of the settlement, would not adversely impact the character of the area nor would it seriously injure the visual, residential or environmental amenities of the area, and would be acceptable in terms of traffic safety and convenience and public health. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 21st day of July 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and surface water management.

3. Prior to the commencement of development the developer shall enter into a Connection Agreement (s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

4. (a) Adequate visibility sightlines on either side of the proposed entrance as shown on the submitted drawings number PP-001 dated 29th day of January 2025 shall be made available and maintained for a minimum of 23 metres in both directions from a point 2.4 metres back in from the edge of the road carriageway over a height of 1.05 metres above road level and no impediment to visibility shall be placed, planted or allowed to remain within the visibility triangle. The area within the visibility splay shall be cleared to provide a level surface no higher than 250 millimetres above the level of the adjoining carriageway and shall be retained and kept clear thereafter. This is required to accommodate the junctions with a 30km /h design speed.
- (b) The minimum footpath width to be provided shall be 2.0 metres.

- (c) Final drawings and details for the construction, materials and finishing of the new two metre footpath on Cromwells Road, the tie in with the existing footpaths and the vehicular entrance and crossover, shall be submitted to and agreed in writing with the planning authority prior to commencement of development. The works shall be completed to the written satisfaction of the planning authority prior to occupation of the house.
- (d) Entrance gates shall be set back a minimum of 5.5 metres from the edge of the access road. Wing walls shall be splayed at an angle of 40 degrees, and the gates shall open inwards. The gradient of the access road servicing the development shall not be greater than 2%, for a minimum distance of 5 metres from the edge of the public road.

Reason: In the interest of traffic safety and orderly development.

5. Details of the materials, colours and textures of all the external finishes to the proposed dwelling and boundary wall and railing to Cromwells Lane and Blackbush Lane shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

6. The landscaping scheme shown on Site Plan drawing as submitted to the planning authority on 31st January 2025 shall be carried out within the first planting season following substantial completion of external construction works. This shall include the proposed planting indicated on the site plan, beech hedgerow along the roadside boundary to Cromwells Lane and Blackbush Lane and supplementary hawthorn and beech hedging along the western boundary to the existing laneway.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

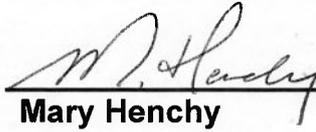
Reason: In the interest of residential and visual amenity.

7. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

8. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Mary Henchy

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



Dated this *30th* day of *December* 2025