

An
Coimisiún
Pleanála

Commission Order
ACP-323562-25

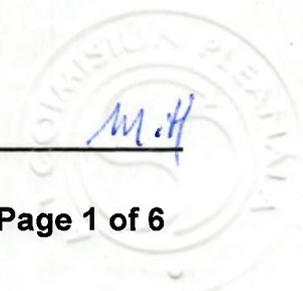
Planning and Development Act 2000, as amended

Planning Authority: Louth County Council

Planning Register Reference Number: 25/60002

Appeal by Richard Stewart care of Seamus Roe and Co. Solicitors of Fairgreen, Ardee, 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 Suzanne McDonough and Dominik Przybylak care of Maria MacVeigh of 11 Harcourt Terrace, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of the existing single storey dwelling, lean-to-extension and paths. Removal of the existing oil tank. Construction of a new single storey dwelling, flat roof with part-sloped roof and two number rooflights, new timber fence to southern boundary, new vehicular access, and all associated site works, all at The Square, Blackrock, County Louth. The proposed development was revised by further public notices received by the planning authority on the 22nd day of July 2025.



Decision

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

Reasons and Considerations

Having regard to the policies and objectives of the Louth County Development Plan 2021-2027, as varied, and the Dundalk Local Area Plan 2025, 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 on the character of the area, would not 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.

Appropriate Assessment: Stage 1:

The Commission agreed with the screening assessment and conclusion carried out in the Inspector's Report that the Dundalk Bay Special Area of Conservation (Site Code 000455) and the Dundalk Bay Special Protection Area (Site Code 004026) are the only European Sites in respect of which the proposed development has the potential to have a significant effect in view of the Conservation Objectives for the sites and that Stage 2 Appropriate Assessment is, therefore, required.

Appropriate Assessment: Stage 2:

The Commission considered the Natura Impact Statement, and all the other relevant submissions on file, and carried out an Appropriate Assessment of the implications of the proposed development on the Dundalk Bay Special Area of Conservation (Site Code 000455) and the Dundalk Bay Special Protection Area (Site Code 004026) in view of the sites' Conservation Objectives. The Commission considered that the information before it was sufficient to undertake a complete assessment of all aspects of the proposed development in relation to the sites' Conservation Objectives using the best scientific knowledge in the field. In completing the assessment, the Commission considered, in particular, the following:

- (i) the site-specific Conservation Objectives for the European Sites,
- (ii) the likely direct and indirect impacts arising from the proposed development, both individually or in combination with other plans or projects, and
- (iii) the mitigation measures which are included as part of the current proposal.

In completing the Appropriate Assessment, the Commission accepted and adopted the Appropriate Assessment carried out in the Inspector's Report in respect of the potential effects of the proposed development on the aforementioned European Sites.

In overall conclusion, the Commission was satisfied that the proposed development would not adversely affect the integrity of the European Sites in view of the sites' Conservation Objectives and that there is no reasonable scientific doubt as to the absence of such effects.

Conditions

1. The proposed 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 17th 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 the proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The mitigation measures contained in the submitted Natura Impact Statement shall be implemented in full.

Reason: To protect the integrity of European Sites.

3. 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.

4. The landscaping scheme shown on the 'Revised Site Layout & Landscaping Schedule Plan' drawing received by the planning authority on the 17th day of July, 2025 shall be carried out within the first planting season following substantial completion of external construction works. 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.

5. The proposed development shall be carried out in accordance with the submitted Construction and Environmental Management Plan.

Reason: In the interest of environmental protection.

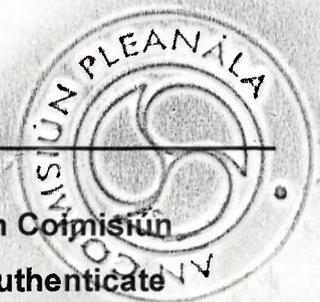
6. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior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

Reason: In order to safeguard the amenities of property in the vicinity.

7. Prior to commencement of development, the developer shall prepare a Resource Waste Management Plan (RWMP) as set out in the Environmental Protection Agency's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021), including a demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on file and retained as part of the public record. The RWMP shall be submitted to the planning authority for written agreement prior to commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of sustainable waste management.

M. Healy



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

Dated this *15th* day of *December* 2025.