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**Planning and Development Act 2000, as amended**

**Planning Authority: Louth County Council**

**Planning Register Reference Number: 25/60319**

**Appeal** by Blackrock Tidy Towns and by others against the decision made on the 3<sup>rd</sup> day of December, 2025 by Louth County Council to grant subject to conditions a permission to Marina Quarter Limited.

**Proposed Development:** Seven-year permission for a large-scale residential development (LRD) which will consist of 502 number residential units, with a total residential gross floor area of circa 51,440.5 square metres comprising: 40 number one-bed maisonettes, 147 number two-bed mid-terrace two-storey houses, 276 number three-bed end-of-terrace and semi-detached two-storey houses, one number three-bed detached bungalow and 38 number four-bed semi-detached three-storey houses, one number two-storey creche facility (570.7 square metres gross floor area) with outdoor secure play area and parking. New access off Blackrock Road providing for vehicular, pedestrian and cycle access and incorporating a new bus stop on Blackrock Road. Two number pedestrian and cycle only access points are provided from Bóthar Maol. Infrastructure and services for the proposed development, including surface water infrastructure, water mains and a new wastewater pump station (with temporary storage and associated dosing measures) which will be pumped via a new rising main along Blackrock Road (R172) and Hardy's Lane to Finnabair Crescent where it will discharge to the existing wastewater

drainage network. Associated public and private open space, landscaping and amenity areas, including a large central park of circa 2.7 hectares, public art, boundary treatments, public lighting, roads, cycleways, footpaths, car and cycle parking, infrastructure and services and all associated site and development works. To facilitate the proposed development, excavation, cut and fill, reprofiling of existing ground levels and removal of works completed under previously permitted SHD development, including the foundations for five number houses is required. The ruins of a former pumphouse will also be removed/demolished as part of the works and existing overhead electrical lines will be undergrounded, all on lands of circa 18.54 hectares at Haggardstown and Marshes Upper, including works on Blackrock Road (R172) and Hardy's Lane, Dundalk, County Louth, as revised by the further public notices received by the planning authority on the 14<sup>th</sup> day of October, 2025.

## **Decision**

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

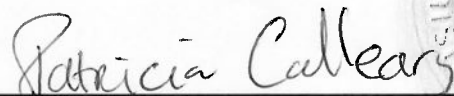
## **Reasons and Considerations**

1. Notwithstanding the Commission's conclusion that the proposed development, including its layout and design, is acceptable in principle, having regard to the recognised deficiencies in the existing wastewater network serving Dundalk, the uncertainty around the timeline for the delivery of required upgrades, including the Coe's Road Project, it is considered that the proposed development would be premature by reference to the existing deficiency in the sewerage infrastructure required to adequately service the proposed development. Furthermore, in the absence of site-specific design specifications for the proposed wastewater storage tank, operational and maintenance details, including the necessary controlled release of wastewater and

the impact of this additional pressure on the existing network, it is considered that the construction resilience cannot be determined nor the potential for blockage, rainwater ingress and structural failure, and, as such, the proposed development would be contrary to Policy Objective INF 4 of the Dundalk Local Area Plan 2025-2031 which seeks 'to require all new developments to connect to the public supply where public water and wastewater infrastructure is available, or likely to be available, and which has sufficient capacity'. The proposed development would set an undesirable precedent for other similar developments in the surrounding area, and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the information provided in the Environmental Impact Assessment Report (including in relation to the Water Framework Directive) and the accompanying Appropriate Assessment Screening Report and Natura Impact Statement, and all associated material submitted with the planning application and the appeal, the Commission is not satisfied that the design of the proposed development, combined with the proposed mitigation measures, adequately addresses the indirect pathway via the wastewater discharge from Dundalk Wastewater Treatment Plant during the operational phase of the proposed development, would prevent adverse effects on the integrity of the Dundalk Bay Special Area of Conservation (Site Code: 000455) and the Dundalk Bay Special Protection Area (Site Code: 004026) and, in the absence of necessary infrastructure required to accommodate the proposed development and the uncertainty around the delivery of same, there is reasonable scientific doubt as to the absence of adverse effects on European Sites. Furthermore, it is considered that the proposed development has the potential to compound discharges from the Dundalk Wastewater Treatment Plant which, at times, is not meeting emissions standards and having regard to the uncertainty around the proposed delivery of necessary upgrade works to the wastewater infrastructure (including the Coe's Road project), the absence of site-

specific design details for the proposed wastewater storage tank on site, the risk to the water environment cannot be determined. The Commission is not satisfied that the proposed development would not pose an unacceptable risk of environmental pollution and, as such, the proposed development is considered to be contrary to the proper planning and sustainable development of the area.



**Patricia Calleary**

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

Dated this 13<sup>th</sup> day of April 2026.