



An  
Coimisiún  
Pleanála

**Commission Order  
PL-500069-LH**

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

**Planning Authority: Louth County Council**

**Planning Register Reference Number: 2560075**

**Appeal** by Michael O'Neill and Cairlinn Owners Management Company care of Oriel Management against the decision made on the 18<sup>th</sup> day of September 2025 by to grant, subject to conditions, a permission to LUAIRB1 Limited in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Change of use of an existing Bed and Breakfast to Guesthouse with alterations and extensions including provision of new first floor areas incorporating additional bedroom and ancillary accommodation, extensions to the front and rear, internal arrangement changes, elevational changes, alterations including a first floor extension to the existing building adjoining the main building, new additional car parking and surface water drainage, connection to the public foul water network and all associated site development works. The proposed development was revised by further public notices and included a detailed business plan; clarification on the requirement for support services; proposed additional new bike and bin store details; construction, waste and sediment control management plan; and, details of proposed EV charging points.

## 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

- (a) the established use,
- (b) the location of the site on lands zoned 'A1– Existing Residential' with the objective 'To protect and enhance the amenity and character of existing residential communities',
- (c) to the planning policies, objectives and development standards of the Louth County Development Plan 2021-2027, and specifically to Section 13.15.1 (Hotels, B&B's and Guest Houses) and Policy Objectives TOU25 and TOU26 (Location tourism–based development) and IU26 and IU27 (Flood Risk Management) of that plan,
- (d) to RPO 4.3 (Consolidation and Re-Intensification) Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy 2019-2031,
- (e) to the Planning System and Flood Risk Management Guidelines (2009),
- (f) to available infrastructure capacity as per the Uisce Eireann Waste Water and Water Supply Capacity Registers and Connection Offer in respect of the proposal and its compliance with Greater Dublin Strategic Drainage Study, the CIRIA SuDS Manual and BRE Digest 365,
- (g) to the current operational status of the Carlingford Waste Water Treatment Plant (Reg # D0268-01),
- (h) to the nature, scale and design of the proposed development relative to adjoining dwellings, and
- (i) to the existing pattern of development in the wider area,

it is considered that, subject to compliance with the conditions set out below, the proposed development is an acceptable form of development at this location, would not seriously injure the amenities of adjoining properties, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Furthermore, the Commission considered the existing landscape plan adequate and additional boundary treatment, including provision of a solid rear edge which may impact on existing planting, unnecessary; the Construction, Waste and Sediment Management Plan, submitted to the planning authority with Further Information, addresses the management of any contamination if found; and, the potential for disturbance to adjoining residences due to noise, would be mitigated by the limits imposed on the use of amenity spaces, and, therefore, did not consider additional conditions necessary, relating to the above matters.

#### **Appropriate Assessment: Stage 1:**

The Commission considered the documents submitted with the application, and all the other relevant submissions on file, and carried out an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European sites. The Commission agreed with the screening assessment and conclusion carried out in the Inspector's Report that Carlingford Lough Special Protection Area (Site Code 004078), Carlingford Shore Special Area of Conservation (Site Code 002306) and Carlingford Lough Special Protection Area (Site Code UK 9020161) 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 other relevant submissions including expert submissions received and carried out an Appropriate Assessment of the implications of the proposed development on Carlingford Lough Special Protection Area (Site Code 004078), Carlingford Shore Special Area of Conservation (Site Code 002306) and Carlingford Lough Special Protection Area (Site Code UK 9020161), 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 conservation objectives of the sites using the best available scientific knowledge in the field.

In completing the assessment, the Commission considered, in particular, the following:

- (a) the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,
- (b) the mitigation measures which are included as part of the current proposal, and
- (c) the conservation objectives for the European Sites.

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, having regard to the sites' conservation objectives. In overall conclusion, the Commission was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European Sites in view of their conservation objectives. This conclusion is based on a complete assessment of all aspects of the proposed project and there is no reasonable scientific doubt as to the absence of adverse effects.

## 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 10<sup>th</sup> day of June, 2025 and on the 1<sup>st</sup> day of September, 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 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 remedial Natura Impact Statement (NIS), shall be implemented.

**Reason:** To protect the integrity of European Sites.

3. Details of the materials, colours and textures of all the external finishes to the proposed development 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.

4. The developer shall implement the flood resilient construction measures provided in the Site Specific Flood Risk Assessment Report (December 2024) undertaken for the development and received by the planning authority on the 12<sup>th</sup> day of February, 2025.

**Reason:** In the interest of public health and water management and to prevent flooding.

5. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the relevant Section of the Council for such works and services. Prior to the commencement of development, the developer shall submit to the planning authority, for their written agreement, a Stage 2 - Detailed Design Stage Storm Water Audit. Upon completion of the development, a Stage 3 Completion Stormwater Audit to demonstrate Sustainable Urban Drainage System measures have been installed and are working as designed and that there has been no misconnections or damage to storm water drainage infrastructure during construction, shall be submitted to the planning authority for written agreement.

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

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

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

7. Prior to the commencement of the development, the developer shall submit for the written agreement of the planning authority a final, site-specific Guesthouse Business/Operational Plan and shall implement the noise/activity/guest management policies and measures recommended therein in full. The plan should specifically provide for the prohibition of guest use of the rear garden, front garden, front balcony, rear breakout area and full patio area after 2100 hours and shall provide for a maximum occupancy of 26 persons.

**Reason:** In the interest of neighbouring residential amenity.

8. The developer shall carry out landscaping and boundary treatments as per the submitted Proposed Landscape Site Plan (drawing number 2428-P-111-B) received by the planning authority on the 1<sup>st</sup> day of September, 2025. Landscaping shall commence no later than the first planting season following commencement of development on site. Existing hedgerows, trees and shrubs on site shall be preserved. Any trees or hedging 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 biodiversity and the visual and residential amenities of the area.

9. The 'mews building' shown on the submitted Site Layout Plan (drawing number 2428-P-102-C) received by the planning authority on the 1<sup>st</sup> day of September, 2025, shall be occupied at all times by the owner or a member of staff when the guesthouse is occupied, unless otherwise agreed in writing with the planning authority.

**Reason:** In the interest of neighbouring residential amenity.

10. 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 19<sup>th</sup> day of February 2026