

Planning and Development Act 2000, as amended

Planning Authority: Louth County Council

Planning Register Reference Number: 24/60737

Appeal by Groveview Builders Limited against the decision made on the 10th day of November, 2025 by Louth County Council to refuse permission.

Proposed Development: Construction of 80 number dwellings comprising of one number end-of-terrace, three-bedroom, two-storey dwelling (Type A), 23 number terrace three-bedroom, two-storey dwellings (Type B), 32 number semi-detached, three-bedroom, two-storey dwellings (Type C2), five number semi-detached, three-bedroom two-storey dwellings (Type C3), one number four-bedroom, two-storey semi-detached dwelling (Type E1), one number four-bedroom, two-storey semi-detached dwelling (Type F), one number three-bedroom, two-storey semi-detached dwelling (Type G4), one number four-bedroom, two-storey semi-detached dwelling (Type H3), one number four-bedroom, two-storey semi-detached dwelling (Type H4), five number three-bedroom, two-storey semi-detached dwellings (Type J1), two number three-bedroom, two-storey semi-detached dwellings (Type J2), one number four-bedroom, two-storey detached dwelling (Type K1) and two number four-bedroom, two-storey semi-detached dwellings (Type K1), one number four-bedroom, two-storey detached dwelling (Type K2) and three number four-

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bedroom, two-storey semi-detached dwellings (Type K2) and all associated ancillary site development works, boundary treatments and landscaping, on lands of circa 2.48 hectares (planning register reference number 03/1754) with access via the existing approved vehicular and pedestrian access from the Western Relief Road to the west and the Dublin Road via the Boulevard to the east, all at Raynoldstown Village, Haynestown, Dublin Road, Dundalk, County Louth.

Decision

GRANT permission for the above proposed development based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to

- (a) the planning history of the site,
- (b) the grant of permission by An Coimisiún Pleanála, under appeal reference number ACP-323186-25, for the construction of a temporary foul sewer pumping station and wastewater treatment plant,
- (c) the policies and objectives of the Louth County Development Plan 2021-2027, as varied, and the Dundalk Local Area Plan 2025-2031,
- (d) the nature, scale and design of the proposed development,
- (e) the pattern of existing development in the area,
- (f) the Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019-2031,
- (g) Delivering Homes, Building Communities 2025-2030: An Action Plan on Housing Supply and Targeting Homelessness,

- (h) the provisions of Housing for All – A New Housing Plan for Ireland issued by the Department of Housing, Local Government and Heritage in September 2021,
- (i) Project Ireland 2040 National Planning Framework (First Revision), provided by the Department of Housing, Local Government and Heritage in April 2025,
- (j) the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities published by the Department of Housing, Local Government and Heritage in January 2024,
- (k) the Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of the Environment, Community and Local Government in March 2013,
- (l) the Procedural Advice Note for Planning Authorities Developer-Led Infrastructure (DLI) Initiative for Wastewater Services to support Housing Delivery (March 2026),
- (m) the submissions and observations received in connection with the planning application and the appeal,
- (n) the Chief Executive’s Report, and
- (o) the report and recommendation of the Inspector,

it is considered that, subject to compliance with the conditions set out below, the proposed development would be an acceptable form of development supported by policy at all levels, including in the Louth County Development Plan 2021-2027, as varied, and the Dundalk Local Area Plan 2025-2031, in respect of the need to deliver housing in the area, and on lands zoned A1 – Existing Residential in the development plan, where residential development is stated as being ‘generally permitted’. It is further considered that the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of wastewater treatment and pedestrian and traffic safety, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment Screening:

The Commission completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on European Sites, taking into account the nature and scale of the proposed development on serviced lands, the nature of the receiving environment, which comprises a site in an established urban area, the distances to the nearest European Sites, and the hydrological pathway considerations, the submissions on file, the information submitted as part of the applicant's Appropriate Assessment Screening Report documentation, and the Inspector's report. In completing the screening exercise, the Commission agreed with, and adopted the report of the Inspector that, by itself or in combination with other development, plans and projects in the vicinity, the proposed development would not be likely to have a significant effect on the Dundalk Bay Special Protection Area (Site Code: 004026), or the Dundalk Bay Special Area of Conservation (Site Code: 000455) or any other European Site in view of the Conservation Objectives of such sites, and that a Stage 2 Appropriate Assessment is, therefore, not required.

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 21st day of October, 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. (a) Prior to commencement of development, the developer shall enter into connection agreements with Uisce Éireann to provide for service connections to the public water supply and wastewater collection network.
- (b) The new pumping station and temporary wastewater treatment plant permitted under appeal reference number ACP-323186-25 shall be connected to the proposed development for a temporary period of up to five years (unless a separate planning permission has first been granted for an extended period of use) and shall be constructed and fully operational to the written satisfaction of Uisce Éireann and the planning authority prior to any of the subject dwellings being occupied.
- (c) The developer shall provide for the disconnection and removal of the connection to the temporary wastewater treatment plant, including all pipework associated with the connection, following the direct connection of the proposed development to the upgraded public wastewater treatment plant when notified to do so by Uisce Éireann.

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

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. 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.

5. The developer shall comply with all requirements of the planning authority in relation to roads, access, lighting and parking arrangements, including facilities for the recharging of electric vehicles. In particular:
- (a) the roads and traffic arrangements serving the site, including signage, shall be in accordance with the detailed requirements of the planning authority for such works and shall be carried out at the developer's expense,
 - (b) the roads layout shall comply with the requirements of the Design Manual for Urban Roads and Streets, in particular carriageway widths and corner radii,
 - (c) the materials used in any roads/footpaths provided by the developer shall comply with the detailed standards of the planning authority for such road works,
 - (d) parking shall be reserved for residents of the proposed development only,
 - (e) the delivery and routing of materials to the site during the construction phase shall be organised so that deliveries do not conflict with the morning or evening periods of peak school traffic flow, and
 - (f) a detailed construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

Reason: In the interest of traffic safety and convenience.

6. Proposals for an estate/street name, house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

Reason: In the interest of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.

7. (a) The applicant shall be required to engage the services of a suitably qualified archaeologist to carry out an archaeological assessment of the development site. No sub-surface developmental work, including geotechnical test pits, shall be undertaken until the archaeological assessment has been furnished to, and agreed in writing with, the planning authority, following consultation with the Department of Local Government and Heritage.
- (b) The archaeologist shall carry out any relevant documentary research and shall inspect the development site. As part of the assessment, a programme of test excavation shall be carried out at locations chosen by the archaeologist (licensed under the National Monuments Acts 1930-2004) having consulted the site drawings and the Department of Local Government and Heritage.

- (c) Having completed the work, the archaeologist shall submit a written report stating their recommendations for the agreement in writing with the planning authority. Where archaeological materials/features are shown to be present, preservation in situ, preservation by record (excavation) or monitoring shall be required.

Reason: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

8. Prior to commencement of development, the developer, or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA'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. All records (including for waste and all resources) pursuant to the agreed RWMP shall be submitted to, and agreed in writing with, the planning authority and shall be made available for inspection at the site offices at all times.

Reason: In the interest of sustainable waste management.

9. The construction of the proposed development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of all intended construction practice for the proposed development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and residential amenity.

10. (a) The landscaping scheme shown on drawing number D1203-513-107, as received by the planning authority on the 27th day of November, 2024 shall be carried out within 12 months of the date of commencement of development.
- (b) 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.
- (c) The developer shall retain the services of a suitably qualified landscape architect throughout the duration of the site development works. The developer's landscape architect shall certify to the planning authority by letter his/her opinion on compliance of the completed landscape scheme with the approved landscape proposal within six months of substantial completion of the development hereby permitted. Site clearance works, including the removal of existing vegetation, shall not be permitted during the bird nesting season (March 1st to August 31st).

Reason: To ensure satisfactory completion and maintenance of the proposed development in the interest of residential amenity and in the interest of protecting the environment.

11. Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through open spaces, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development/installation of lighting.

Reason: In the interest of amenity and public safety.

12. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interest of visual and residential amenity.

13. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Coimisiún Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

14. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company, or by the planning authority in the event of the development being taken in charge. Detailed proposals in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure the satisfactory completion and maintenance of the development.

15. (a) Prior to the commencement of any house in the development, as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house) pursuant to Section 47 of the Planning and Development Act 2000, as amended, that restricts all relevant houses permitted to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.
- (b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each specified house for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.

(c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.

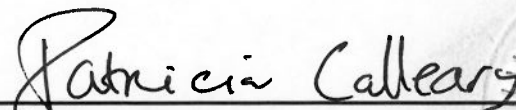
Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

16. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

Reason: To ensure the satisfactory completion of the development.

17. 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.



Patricia Calleary

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate

the seal of the Commission.

Dated this 16th day of June 2026.