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

**Planning Authority: Louth County Council**

**Planning Register Reference Number: 2560787**

**Appeal** by Sean Philips and Leanne Geoghegan against the decision made on the 28<sup>th</sup> day of January, 2026 by Louth County Council to refuse permission for the proposed development.

**Proposed Development:** Dwelling house with integrated garage, waste water treatment system and percolation area, on site soakaway, access to site from public road via existing agricultural gateway and all associated site works at Brittas, Grangebellew, County Louth.

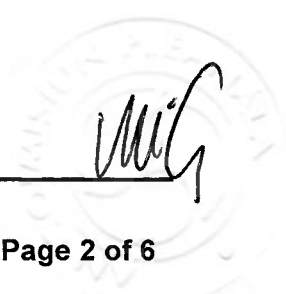
## **Decision**

**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

In deciding not to accept the Inspector's recommendation to refuse permission, the Commission noted that the applicants complied with the planning authority's rural housing policy. The Commission also concurred with the Inspector's conclusion that the proposed development would not constitute ribbon development, as defined at Section 13.9.5 of the Louth County Development Plan 2021-2027 (as varied). In addition, having regard to the topography of the subject site, the single storey design of the proposed dwelling, the pattern of existing residential development in the immediate vicinity, the extent of existing screening along the roadside and the Inspector's assessment that the relevant landscape character impacts in this case relate to short views of the site within its local rural context and in from the local road onto which the site fronts, the Commission considered that the proposed development would not result in an unacceptable impact on the established character of this rural area. Furthermore, the Commission considered that the proposed vehicular access, which would form a combined access with the existing agricultural entrance to the remainder of the holding, on the crest of a low hill, would allow for adequate sightlines in both directions without the need for any extensive hedgerow removal, would not result in the creation of a traffic hazard due to the availability of uninterrupted sightlines and the low level of traffic turning movements generated by the proposed development, and 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 An Coimisiún Pleanála on the 18<sup>th</sup> day of February, 2026, 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. (a) The proposed dwelling, when completed, shall be first occupied as a place of permanent residence by the applicant, members of the applicant's immediate family or their heirs, and shall remain so occupied for a period of at least seven years thereafter unless consent is granted by the planning authority for its occupation by other persons who belong to the same category of housing need as the applicant. Prior to commencement of development, the applicant shall enter into a written agreement with the planning authority under section 47 of the Planning and Development Act, 2000 to this effect.
- (b) Within two months of the occupation of the proposed dwelling, the applicant shall submit to the planning authority a written statement of confirmation of the first occupation of the dwelling in accordance with paragraph (a) and the date of such occupation. This condition shall not affect the sale of the dwelling by a mortgagee in possession or the occupation of the dwelling by any person deriving title from such a sale.

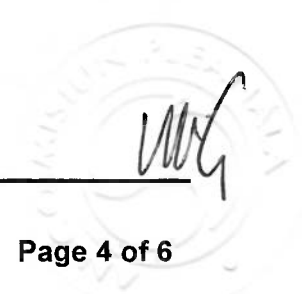
**Reason:** To ensure that the proposed house is used to meet the applicant's stated housing needs and that development in this rural area is appropriately restricted to meeting essential local need in the interest of the proper planning and sustainable development of the area.

3. (a) The existing front boundary hedge shall be retained except to the extent that its removal is necessary to provide for the entrance to the site. A schedule of landscape maintenance shall be submitted to, and agreed in writing with, the planning authority prior to occupation of the development. The schedule shall cover a period of at least three years and shall include details of the arrangements for its implementation.
- (b) The site shall be landscaped in accordance with the landscaping plan submitted to the planning authority on the 5<sup>th</sup> day of December 2025 and all proposed new site boundary planting shall be carried out within the first planting season following commencement of development on the subject site.

**Reason:** To provide for the satisfactory future maintenance of this development in the interest of visual amenity.

4. All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.

**Reason:** In the interest of traffic safety and to prevent flooding or pollution.



5. (a) The wastewater treatment system hereby permitted shall be installed in accordance with the recommendations included within the site characterisation report submitted with the application on the 22<sup>nd</sup> day of August 2024 and shall be in accordance with the standards set out in the document entitled “Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent  $\leq 10$ )” – Environmental Protection Agency, 2021.
- (b) Treated effluent from the wastewater treatment system shall be discharged to a polishing filter which shall be provided in accordance with the standards set out in the document entitled “Code of Practice - Domestic Waste Water Treatment Systems (Population Equivalent  $\leq 10$ )” – Environmental Protection Agency, 2021.
- (c) Within three months of the first occupation of the dwelling, the developer shall submit a report to the planning authority from a suitably qualified person (with professional indemnity insurance) certifying that the wastewater treatment system and associated works is constructed and operating in accordance with the standards set out in the Environmental Protection Agency document referred to above.

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

6. (a) The entrance to the proposed house shall be set back 4.5 metres from the edge of the public road.
- (b) Sightlines at the entrance to the proposed development shall be maintained in accordance with plans and particulars received by An Coimisiún Pleanála on the 18<sup>th</sup> day of February, 2026.

- (c) The access driveway to the proposed development shall be provided with adequately sized pipes or ducts to ensure that no interference will be caused to existing roadside drainage. Reason: In the interest of traffic safety.
7. 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.



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Liam McGree

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

Dated this 23<sup>rd</sup> day of June 2026